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## THE DISTRIBUTION OF THE FREE CHURCHES IN ENGLAND

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FOR ecclesiastical purposes the whole of England, except some very tiny fragments which are otherwise provided for, is divided into parishes each of which has its church and its incumbent. The Established Church in this way provides at least one clergyman for about 14,000 districts. The Free Churches are not a universal feature of parish life, and their position cannot be understood without some reference to their history.

The uniformity which had, at least on the surface, been secured by the Roman Catholic Church, has never since the Reformation been attained by Protestantism in England. As early as 1566 certain clergymen in London were suspended for nonconformity, and shortly afterwards certain of the deprived ministers and other Puritans met and resolved that "it was their duty in their present circumstances to break off from the Public Churches and to assemble as they had opportunity in private houses, or elsewhere, to worship God in a manner that might not offend against the light of their consciences" (*Selbie on Nonconformity*. Home University Library, p. 34). A little later, when conformity was being strongly demanded, "an increasing number of the Puritans

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found themselves driven to reconsider their position, and sought a purer form of Church government and worship, some across the seas in Holland and afterwards in America, and others by setting up separated churches at home. These churches took naturally what is known as a Congregational way, and became the forerunners of the Baptist and Congregational denominations of modern times" (*Selbie*, pp. 43-4). Their common principle was that the government of the Church should be in the hands of its members, and that the State had no right of interference. Further, in both bodies there was not only independence of the State, but also independence for each congregation. It will sometimes be a convenience to use the term "independency" to comprise both these denominations. There is no need to dwell at any length on the importation of Presbyterianism into England, and the struggle during the middle of the seventeenth century between the Presbyterian majority in Parliament and the Independents in the Army for the chief place in the councils of the nation, because, during the next century, Presbyterianism practically disappeared, the right wing becoming Congregationalist and the left wing Unitarian. The important fact of the seventeenth century was the Act of Uniformity of 1662, which drove out of the Church of England some two thousand clergy. Though all forms of nonconformity were now illegal, preaching and worship went on all over the country. A considerable number of churches which are to-day on the rolls of the Baptist, Congregational, and Unitarian bodies claim 1662 as the date of their foundation. The Five Mile Act of 1665 drove the ejected ministers away from the towns of that period, with this unexpected result that when a century later the Industrial Revolution began to bring into prominence areas like Birmingham, which were only overgrown villages, the trade and wealth of those districts were for the most part in the hands of Nonconformists. Further Acts such as the Test and Corporation Acts drove Nonconformists out of public life, as it was impossible to hold

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any civil office without first taking the Sacrament according to the rites of the Church of England.

The Toleration Act of 1689 established freedom of worship, but did nothing to remove civil disabilities. "Nonconformity began to breathe freely and spread with great rapidity. In the twelve closing years of the seventeenth century 2,418 dissenting meeting-houses were licensed for public worship" (*Selbie*, pp. 144-5). To a very considerable proportion of these the name Presbyterian was attached. "At the beginning of the eighteenth century there were 750 so-called Presbyterian chapels—called Presbyterian not because they retained any Presbyterian organisation but because they were founded by men . . . in sympathy with the Presbyterians of the Commonwealth" (Gow, *The Unitarians*, p. 51). The Unitarians claim that 160 of these are at the present time attached to them. Of the Congregational churches now in existence, 292 claim to date back to the year 1700 and 189 of these to the year 1662. Of the Baptist churches 122 claim to date back to 1700 and 79 of these to 1662. These are considerable figures. On the other hand, the present Presbyterian Church of England only claims 22 churches dating back to 1700, and of these only 11 date back to 1662.

These historic churches, with a continuous life of more than two and a half centuries, throw considerable light on the distribution of the Free Churches. Two local groups are most pronounced: (a) London, the Home Counties, and the Eastern Counties, (b) the South-western Counties. The more important locations for the 189 surviving Congregational churches of 1662 are London and Middlesex 23, Devonshire 15, Dorset 13, Gloucester 13, Essex 13, Suffolk 10, Hants 9, Kent 9, Northants 9, Somerset 8, and Norfolk 7. For the 79 Baptist churches surviving from 1662 the leading groups are Lincolnshire 7, Gloucestershire 7, Worcestershire 5, Bedfordshire, Berkshire, Devonshire, Kent, Somerset, and Wiltshire, 4 each. The churches which came into being between 1662

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and 1700 are in much the same districts, but were particularly numerous in Essex, Suffolk, Wiltshire, Yorkshire, and Lancashire. In the Unitarian list Devonshire, Gloucestershire, Kent, Somerset, South Lancashire, and South Yorkshire are strongly represented. The present Presbyterian Church in the southern half of England only adds two churches to the 1662 list, but there was a group of four of these churches in South Lancashire.

We can now form a mental picture of nonconformity in the first half of the eighteenth century. It consisted of independent congregations maintaining at their own expense a building and, wherever possible, a minister. They would contain practically no members of the governing classes, either central or local. In the parts of England which had supported the Puritans in the Civil War, there congregations would be found in both town and country, and business and farming would be much more strongly represented than the professions. In the rest of England the congregations would be urban rather than rural. The individualism of these separate congregations was absolute, but before the end of the century county unions or associations had begun to be formed, and about a hundred years ago there emerged the Baptist Union of Great Britain and Ireland and the Congregational Union of England and Wales. But in both these denominations the individual church still remains an entirely self-governing body.

It is apparent from this statement that the individualism of these nonconforming bodies in practice limited their operation to districts where conditions were favourable for the support of a minister by the voluntary offerings of the congregation, i.e. either to districts where, though the population was scattered, there was a fairly general adhesion to dissent, or to urban districts where the population was sufficiently large for a minority to be big enough to carry on under the voluntary principle. Under present-day conditions the Congregational, Baptist, and Presbyterian bodies raise con-



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siderable funds from their richer churches with which to help poorer churches, and a considerable proportion of their churches are in fact "aided" churches; but in spite of this altruism and its results, the principle of the self-supporting church still prevails, and certainly no new church would be officially countenanced or helped which had not a prospect of becoming self-supporting within a few years of its institution. Any exceptions to this rule would be definitely carried on as "missions," and in return for permanent financial aid would submit to some measure of outside control.

Both in the eighteenth century and to-day the claim of nonconformity so far as represented by the Congregationalists, the Baptists, and the Presbyterians is a strictly limited claim, and there is no pretence of their covering the whole of the field. But about the middle of the eighteenth century a religious event of the highest importance supervened, which ultimately doubled, or possibly rather more than doubled, the numerical strength of nonconformity, and also introduced a new system of organization under which chapels were built in places and districts much too small and poor to support a minister. The reference is, of course, to the Evangelical Revival under the preaching of Wesley and Whitefield, and the circuit system adopted by Wesley, which offers such a marked contrast to the systems of the other dissenting bodies, and also to the system of the Established Church. Under the circuit system, the churches of a district have normally allotted to them two, three, four, or five ministers who may be responsible for a much larger number of chapels, this being made feasible by the extensive use of authorised lay preachers for the conduct of services.

One or two examples chosen more or less at random from a return made by the Wesleyan Methodist body shortly before the recent Methodist reunion will serve as illustrations. The Warrington Circuit consists of 16 chapels, ranging in size from a seating capacity of 1,300 down to a seating capacity of 100. Seven of these chapels hold 200 persons or less. The

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circuit is served by five ministers, three of whom reside in Warrington itself, one in Padgate, and one in Penheth. Padgate is an ecclesiastical parish in the rural district of Warrington and its population is 2,101. Penheth is a civil parish also in the rural district of Warrington with a population of 1,847. The smallest chapel of the sixteen is in a village with 500 inhabitants; one slightly larger is in a village with 366 inhabitants, and another of the same size in a village with 451 inhabitants. To turn now to a predominantly agricultural district. The Gainsborough circuit consists of 24 chapels and one small mission. There are two large chapels in Gainsborough itself, seating 902 persons and 750 respectively. There is a moderate-sized building at Misterton, holding 340 persons. The other 22 chapels range in seating capacity from 205 to 40, and four of them hold less than 100 persons. There are only three ministers in charge of these 25 chapels and mission. Two of them live in Gainsborough (population 19,678), and one lives in Misterton, a village with 1,668 inhabitants. The chapel seating 40 people is in a village with 66 inhabitants. Another chapel seating 60 people is in a village with 191 inhabitants.

It is evident that the circuit system is far better adapted to the circumstances of the small village chapel than the plan of having a minister for every separate congregation. From the financial point of view it must, however, be borne in mind that it merely substitutes the circuit as the unit of responsibility in the place of the individual church, and that the Methodist bodies are dependent on voluntary offerings quite as much as the other denominations. Even with a sustentation fund to help the poorer circuits it is not possible for Methodism to place ministers and build chapels in a district unless there is a reasonable demand in the district and reasonable local support. Everyone knows that the three largest Methodist churches, viz. the Wesleyan Methodists, the Primitive Methodists, and the United Methodists, have recently come together and taken the simple title of Method-

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ist. They all were based on the circuit system, and until other arrangements can be made, the circuits of each original body will exist side by side, and it may take many years before effective amalgamation is complete. In some districts progress has been made, and it looks as if the future circuits of the Methodist Church will embody team work of a high order. The following amalgamated circuits have recently been established : Ludlow with 53 chapels and 4 ministers; Chesterfield with 47 chapels and 9 ministers; Rotherham with 45 chapels and 9 ministers; Heston, 44 chapels and 5 ministers; Redruth, 40 chapels and 6 ministers; Wakefield, 38 chapels and 8 ministers.

We may return usefully to the Evangelical Revival under Wesley and Whitefield. Wesley, in spite of his Anglican attachment, found he could not keep his efforts within the limits of the Anglican parochial system. He did at first confine himself to parishes where he could obtain the goodwill of the incumbent, but before long his famous saying that the whole world was his parish truly represented his policy. "Whitefield, who had never been so scrupulous as the Wesleys, had won great success by preaching in the open air, especially among the Kingswood miners near Bristol. It was Whitefield . . . who reconciled Wesley 'to this strange way of preaching in the fields.' Then began that wonderful itinerary which lasted as long as Wesley lived, and changed the face of religion in England" (*Selbie*, pp. 177-8). Wesley did not die till the closing years of the eighteenth century, and therefore his work coincided with the earlier years of the Industrial Revolution. The earlier part of the eighteenth century had been an epoch of marked religious decline. "The lower classes were sunk in ignorance and vice, and in many parts of the country lived an almost pagan existence. Drunkenness was extremely prevalent and almost unrebuked. The life of the industrial populations was miserable in the extreme. Their pleasures were coarse and animal, and breakers of the law were punished with brutalizing

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inhumanity" (*Selbie*, p. 172). To this may be added the fact that the population of the new industrial districts was increasing very rapidly, and very often in districts where parishes of enormous size had been formed because of the sparseness of the population. Thus the parish of Manchester had a circumference of 52 miles. The success of Methodism seems to have been proportionate to the need of each district for it, and those which could justly be termed "almost pagan" became the strongholds of the new religion.

Though the preaching methods of Wesley and Whitefield were similar, their theological views were very different, and led to divisions in the Methodist ranks. Eventually Whitefield became chaplain to Selina, Countess of Huntingdon, whose "Countess of Huntingdon's Connexion" was originally set up within the Church of England. She found, however, that the places of worship which she built for her Society had to be registered under the Toleration Acts, and were in law Dissenting Chapels. The Countess of Huntingdon's Connexion and its training college for the ministry (Cheshunt College, now at Cambridge) are still in existence, but they are for practical purposes part of Congregationalism, and are so treated in the *Congregational Year Book*, though they are distinguished by the initials "C.H."

The contribution of the Presbyterian Church of England to the Free Churches is, as has already been indicated, for the most part quite modern. There are 13 Presbyteries comprising about 350 separate churches. In six of these there are no churches dating back before 1801, and in two of them no churches earlier than 1851. In the country as a whole more than two-thirds of the churches have been founded since 1851. If the Presbyteries of Berwick, Carlisle, Newcastle, and Northumberland were omitted, the figures for the rest of England would emphasize this recent origin. In spite of the fact that the Presbyterian Church is centrally governed by its Assembly, and that the Presbyteries have also certain powers over the individual churches, the affinity with the Congrega-

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tionalists and the Baptists is much greater than with the Methodists, because the normal organization is on the principle of having a minister for every congregation. Further, the minister is in effect chosen by his congregation, and, subject to the operation of a well-supported sustentation scheme, is supported by his congregation.

It is now possible to classify the main Free Churches of England. There is the new Methodist Church, formed by uniting the Wesleyan Methodist, the Primitive Methodist, and the United Methodist bodies. Roughly, the Wesleyan ministry was about double the numerical strength of the Primitives, and they in their turn had a ministry not quite double that of the United Methodists. This Church is organized on the circuit system, and brings into co-operation a vast army of lay preachers. In this way a great deal of ground can be covered and a large number of congregations provided with preachers. As, however, ministers normally change their circuits every three years, and within the circuit have the oversight of several congregations, the pastoral side of their work cannot be expected to reach an intimacy which is possible under other forms of church organization.

In contrast with the Methodist Church there are the Congregationalists, Baptists, and Presbyterians with numerical totals of ministers roughly in the proportion of 5, 4, and 1. Their total ministry in England is only slightly less in number than the Methodist ministry, and in both cases the total is roughly three thousand. As these bodies normally proceed on the basis of one church, one minister, and a pastorate is capable of lasting an indefinite period, it is evident that the pastoral relationship between minister and congregation can be highly developed. There is another advantage. If the minister has a gift for affairs, he has the opportunity of taking an important place in civic life and of exercising an influence outside his own congregation. Many outstanding examples of this could be cited. In spite of minor differences the common features of these three



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bodies are so marked that they can be treated together, and thus a study of distribution can be made by using two main groups instead of six smaller ones. About three years ago I made a survey of the distribution both of the non-conformist ministry and nonconformist chapels, taking as units of area the Poor Law Unions. I omitted Monmouthshire as having greater affinity with Wales than England. I also omitted the County of London, where conditions again are rather abnormal. I then aggregated the results as nearly as possible in figures for counties. The next point was to determine a criterion of comparison. The number of buildings irrespective of size did not seem a helpful basis, nor an aggregation of seating capacity, regardless of the extent to which it was used. The number of full-time ministers serving in a county seemed to give the most reasonable basis for comparison, and is the one adopted. This basis of comparison is applied first for each group separately and then for the combined groups.

The following table gives the number of people per minister for the combined forces of Congregationalists, Baptists, and Presbyterians in county areas :

Hunts and Cambs. . . . .	4,735	Cumberland . . . . .	8,703
Bucks . . . . .	4,920	Hants . . . . .	8,874
Somerset . . . . .	5,329	Westmorland . . . . .	9,392
Northants. . . . .	5,442	W. Sussex . . . . .	9,640
Hereford . . . . .	6,159	Kent . . . . .	9,650
E. and W. Suffolk . . . . .	6,377	Cheshire . . . . .	10,749
Devon . . . . .	6,436	Worcester . . . . .	11,392
Bedfordshire . . . . .	6,543	Surrey . . . . .	11,600
Wiltshire . . . . .	6,641	Warwick . . . . .	12,142
Herts . . . . .	6,833	Middlesex . . . . .	12,480
Gloucestershire . . . . .	6,843	Yorks., W.R. . . . .	13,028
Oxford . . . . .	6,965	Lancashire . . . . .	13,722
Shropshire . . . . .	7,227	Yorks., N.R. . . . .	14,321
Dorset . . . . .	7,267	Cornwall . . . . .	15,814
Berkshire . . . . .	7,280	Derby . . . . .	16,859
Northumberland . . . . .	7,613	Yorks., E.R. . . . .	17,725
Leicester and Rutland . . . . .	7,740	Staffs . . . . .	17,854
Norfolk . . . . .	8,120	Notts. . . . .	18,486
Essex . . . . .	8,146	Lincoln . . . . .	18,601
E. Sussex . . . . .	8,450	Durham . . . . .	20,697

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These figures confirm the generalizations as to location which have already been given.

The relative numerical strength of ministers in these three denominations has already been given as roughly Congregationalists 5, Baptists 4, and Presbyterians 1. Notable variations are as follows. In Leicestershire and Bedfordshire the Baptist ministers are more than twice as numerous as the Congregationalists, and in Buckinghamshire, Norfolk, Northamptonshire, Hereford, and Nottinghamshire there is a slight preponderance of Baptists over Congregationalists. To counterbalance this, in Shropshire, Dorsetshire, Cheshire, and Cumberland there are at least three times as many Congregational ministers as there are Baptists. In East and West Suffolk, Lancashire, and East Sussex the proportion is about two to one. In Somerset, Essex, and Yorkshire, W.R., the proportion is roughly five to three. As may be inferred from what has already been said, Presbyterianism is distributed much more unevenly. In Northumberland the Presbyterian ministers are more than double the aggregate of Baptists and Congregationalists. In Durham the Presbyterians are considerably the strongest of the three bodies. In and around Liverpool, Presbyterianism is strong enough to affect seriously the proportions for Cheshire and Lancashire.

The table on page 12 gives the number of people per minister for the three denominations which have recently amalgamated and are now known as the Methodist Church. A comparison of the two lists shows how complementary to the other denominations the work of the Methodists has been. Not one of the first twelve counties of the first list appears among the first twelve in the second list. Much the same thing applies to the end of the list. Of the ten counties at the bottom of the first list not one appears in the ten counties at the bottom of the second list. The figure for Cornwall deserves a special note. A great deal of Cornwall was reported before the Evangelical Revival to be practically heathen, but under the influence of that revival that reputation has been completely changed.

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Cornwall . . . . .	3,041	Northants. . . . .	10,158
Yorkshire, N.R. . . . .	5,248	Durham . . . . .	10,252
Lincolnshire . . . . .	5,372	Bedfordshire . . . . .	10,468
Yorkshire, E.R. . . . .	5,908	Notts. . . . .	10,827
Westmorland . . . . .	5,977	Gloucestershire . . . . .	10,929
Norfolk . . . . .	6,090	Staffs . . . . .	11,091
Shropshire . . . . .	7,026	Bucks . . . . .	11,750
Yorkshire, W.R. . . . .	7,671	Lancashire . . . . .	11,863
Cumberland . . . . .	7,912	Hants . . . . .	12,356
Derbyshire . . . . .	7,961	Suffolk . . . . .	13,894
Dorset . . . . .	8,243	Berkshire . . . . .	14,235
Hunts and Cambs. . . . .	8,500	Worcester . . . . .	14,860
Devon . . . . .	8,581	Kent . . . . .	16,600
Somerset . . . . .	8,813	Warwickshire . . . . .	18,538
Cheshire . . . . .	9,023	W. Sussex . . . . .	19,280
Hereford . . . . .	9,238	Essex . . . . .	21,138
Oxford . . . . .	9,419	Herts . . . . .	22,426
Wiltshire . . . . .	9,517	Surrey . . . . .	24,000
Northumberland . . . . .	9,948	E. Sussex . . . . .	24,250
Leicester . . . . .	9,972	Middlesex . . . . .	24,950

The general proportion of ministers in the Wesleyan Methodist, the Primitive Methodist, and the United Methodist bodies has been given as roughly 4, 2, and 1. But this proportion does not obtain uniformly over the whole country. The United Methodist body is in 17 counties either unrepresented or with a maximum of two ministers per county. It is in fact represented, as its name implies, an earlier amalgamation. One of the constituent bodies, the Bible Christians, was a West-Country organization with its main strength in Cornwall, Devon, and Gloucestershire. The ministerial ratios for those three counties grouped together, instead of being 4, 2, and 1, are 6, 1, and 3. In Lancashire and Yorkshire, W.R., the United Methodists are about equal in ministerial strength to the Primitive Methodists, and their combined strength is almost equal to that of the Wesleyan Methodists.

The main strength of the Primitive Methodists lay in two groups of counties. One was an Eastern-Coast group consisting of Norfolk, Lincolnshire, Yorkshire, E.R., Yorkshire, N.R., Durham, and Northumberland, where they had 215 ministers to a Wesleyan strength of 257. The other was a

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Midland group consisting of Berkshire, Buckinghamshire, Huntingdonshire, Cambridgeshire, Suffolk, Leicestershire, Nottinghamshire, Derbyshire, Staffordshire, Shropshire, and Wiltshire, where they had 192 ministers to a Wesleyan strength of 241.

From what has been said already as to the complementary character of the two lists, it is to be expected that their merger should bring about a very much smaller range in the strength of ministerial distribution. In the combined Congregational, Baptist, and Presbyterian list the range is from one minister per 4,735 inhabitants to one minister per 20,697 inhabitants. In the combined Methodist list the range is from one minister per 3,041 inhabitants to one minister per 24,950. When the two lists are merged in one the range is only from one minister per 2,635 inhabitants to one minister per 7,568 inhabitants. The combined list in detail is as follows :

Cornwall . . . . .	2,635	Northumberland . . . . .	4,363
Hunts and Cambs. . . . .	2,933	Yorkshire, E.R. . . . .	4,431
Bucks . . . . .	3,256	Berkshire . . . . .	4,745
Norfolk . . . . .	3,303	Yorkshire, W.R. . . . .	4,828
Somerset . . . . .	3,321	Cheshire . . . . .	4,906
Northants. . . . .	3,397	Herts . . . . .	5,085
Suffolk . . . . .	3,505	Hants . . . . .	5,165
Shropshire . . . . .	3,563	Essex . . . . .	5,216
Westmorland . . . . .	3,653	Derby . . . . .	5,408
Devon . . . . .	3,671	Kent . . . . .	6,144
Dorset . . . . .	3,693	Lancashire . . . . .	6,363
Hereford . . . . .	3,695	W. Sussex . . . . .	6,426
Yorkshire, W.R. . . . .	3,841	Worcester . . . . .	6,449
Beds . . . . .	3,877	E. Sussex . . . . .	6,489
Wiltshire . . . . .	3,911	Durham . . . . .	6,819
Oxford . . . . .	4,005	Notts. . . . .	6,828
Cumberland . . . . .	4,144	Staffs . . . . .	6,841
Gloucester . . . . .	4,208	Warwickshire . . . . .	7,326
Lincolnshire . . . . .	4,252	Middlesex . . . . .	7,357
Leicester . . . . .	4,358	Surrey . . . . .	7,568

This account would not be complete without some indication of the capacity of the churches whose normal form of organization is that of one church, one minister, to modify this organization so as to provide places of worship where there

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is no possibility of complete self-support. This may take several forms. Both the Congregational and Baptist Churches are federated in county unions, as well as in national unions, and both the local federations and the central bodies have funds out of which the stipends of ministers may be augmented, and there are in both bodies a large number of aided churches. The same result is brought about in the Presbyterian body by an admirable National Sustentation Fund which ensures a minimum stipend. A certain number of the smaller churches in both the Congregational and Baptist bodies dispense with a minister altogether, and engage preachers for Sunday worship. Again, the more flourishing churches very often have branch churches in connexion with them, or support mission stations in poorer neighbourhoods. The *Congregational Year Book* shows a total of 2,933 churches in England and Wales which make a return of membership, but only 1,781 ministers appear as in charge of churches.

Distribution may also be discussed from a different point of view, namely, the ability of the Free Churches to maintain a footing (*a*) in the towns and (*b*) in the villages. As regards the Congregationalists, Baptists, and Presbyterians, it is quite clear that their system is more adapted to urban than to rural conditions, and to the middle-class districts of urban areas than to the industrial parts of such areas, and their strength in different districts tends to be governed by these considerations. On the other hand, in some parts of the country the Puritan tradition is still strong enough to modify considerably this generalization. Methodism, on the other hand, has found it comparatively easy to maintain chapels in villages, and sometimes even in mere hamlets, but though the chapels are there, the ministers for the most part are elsewhere. Methodist ministers, being in charge of circuits, necessarily reside in some central place with good means of communication. This means that a larger proportion of Methodist ministers live in urban areas



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than in the case of the other three denominations. It is a little difficult to draw a clear line between urban and rural areas, but treating a population of 2,400 or over, even in what is technically a village, as urban and not rural, there are roughly 400 village ministers in the combined Congregationalist, Baptist, and Presbyterian bodies to about 200 Methodist ministers having their manses in villages. As the Methodist system depends for its distribution predominantly on the ability of a locality to raise funds, there is a tendency for the purely industrial area to suffer under that system, though the tendency is not nearly so pronounced as in the case of the other three denominations.

Many comparative figures could be given in support of these generalizations, but possibly the following will be sufficient. Take first the Isle of Wight, and compare it with two mining areas in County Durham, namely the Poor Law Unions of Easington and Chester-le-Street. The number of inhabitants in the three areas are respectively 94,660, 92,599, and 87,162. The distribution of the population is not dissimilar. The number of places with a population over 5,000 is respectively 7, 8, and 7. The number of places with a population between 1,000 and 5,000 is respectively 10, 4, and 9. The ministerial provision is as follows: In the Isle of Wight, 17 Methodist ministers, 8 Congregationalist, and 6 Baptist, making 31 in all. In Easington Poor Law Union there were 8 Methodist ministers, no Congregationalists or Baptists, and 1 Presbyterian, making a total of 9. In Chester-le-Street there were 6 Methodist ministers, 1 Congregationalist, no Baptist or Presbyterian, and the total is 7. It should also be added that in the Easington area there are 6 chapels belonging to the Independent Methodists, who stand outside the Methodist Church. Similar figures could be given for other mining areas, showing the difficulty that the "independent" system has in establishing itself in such localities. Apparently the same applies to the pottery industry. The aggregate population of the four Poor Law

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Unions, Newcastle-under-Lyme, Wolstanton and Burslem, Stoke-on-Trent, and Leek is 380,912. A comparable population in size is Bristol with 376,975 inhabitants. In Bristol there are 23 Congregational churches with a membership of 4,114 and 19 Baptist churches with a membership of 6,275. In the Potteries there are 16 Congregational churches with a membership of 1,714 and 9 Baptist churches with a membership of 2,289. On the other hand, the urban districts of the textile trades are strong centres of "independency." As an example of historical causes at work in urban areas, the following figures for Ipswich and Darlington may be interesting. Independency in Ipswich goes back to Puritan times, and in Darlington only to the earlier part of the Industrial Revolution. The population of Ipswich is 79,371, and of Darlington 65,842. Ipswich has 6 Congregational churches with a membership of 1,420 and 6 Baptist churches with a membership of 1,549, while Darlington has 1 Congregational church with a membership of 241 and 2 Baptist churches with a membership of 373, a proportion of 4 to 1 in favour of Ipswich.

The general urban position is that there is no municipal borough which has not at least one resident Free Church minister. There is, particularly in the southern half of England, a good deal of overlapping between the denominations in the smaller municipal boroughs. In the case of the urban districts there are a certain number even with populations up to 5,000 which have no resident minister, but there is usually a Methodist chapel. In the textile districts where there are large numbers of urban districts grouped round important places like Wigan, Bury, Ashton, Rochdale, Preston, Huddersfield, and Wakefield, some of these urban districts with populations between 10,000 and 15,000 are served by Methodist ministers living in the important centres, and the other denominations are unrepresented.

In the villages the circuit system makes the provision of chapels so much easier than it is under the "independent"

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system, even when modified by branch churches and missions, that over a great part of the country the provision of chapels is substantially left to Methodism. The exceptional areas are mainly the counties which have a markedly Puritan history. For instance, in Essex the village chapels are as follows: Congregationalist 105, Baptist 34, and Methodist 92; in Hertfordshire the numbers are Congregationalist 50, Baptist 26, and Methodist 44. In a group of counties, in some of which Methodism is especially weak, the combined "independent" chapels are nearly equal to the Methodist chapels. They are Surrey, Sussex, Suffolk, Gloucester, Northamptonshire, and Buckinghamshire.

In contrast with this take a group of counties, Norfolk, Lincolnshire, Yorkshire, E.R. and N.R., Durham, and Northumberland, to which attention has already been called because of the predominance of Primitive Methodism. In those counties there are 1,679 Methodist village chapels as against 108 "independent" chapels. In Norfolk the proportion is about 8 to 1 and in Lincolnshire about 30 to 1. In Lincolnshire a considerable deduction must be made for overlapping between the three Methodist bodies. No doubt this will soon be a thing of the past, but previous to the union of the three bodies there were about 20 instances of villages with 3 Methodist chapels and about 150 instances of villages with 2 Methodist chapels.

To return to the South and West of England, the counties of Hampshire, Dorset, Devon, Somerset, and Wiltshire give a majority of village chapels in favour of Methodism against combined independency of about 2 to 1. The same proportion holds for the Midland Group of Berkshire, Oxfordshire, Worcestershire, Bedfordshire, Huntingdonshire, Cambridgeshire, and Leicestershire. For Warwickshire, Derbyshire, Staffordshire, Shropshire, Herefordshire, and Nottinghamshire the proportion is 5 to 1 in favour of Methodism. In Lancashire, Yorkshire, W.R., and Cheshire the proportion is 8 to 1.

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In Northumberland the Presbyterian Church maintains an efficient ministry in over 30 village churches, but elsewhere it is predominantly urban in its work.

It is apparent from the facts here set out that no claim can be made by the Free Churches to provide a trained minister in every parish. Some people seem to believe that a much humbler claim, namely, to provide a chapel in every parish, is substantiated. This may be approximately true of Cornwall and Lincolnshire, but not elsewhere. In many other districts where Methodism is strong the gaps will not be found to be of any great importance, but in some of the counties in the southern half of England there are considerable areas which are not touched by the Free Churches.

# THE DISTRIBUTION OF THE BLOOD-GROUPS AND ITS BEARING ON THE CONCEPT OF RACE

*By* ALLISON DAVIS

## PART I

A LARGE body of data concerning the geographical distribution of the iso-agglutination blood-groups, accumulated during the last fifteen years, is of especial theoretical importance in connexion with an analysis of the genetical significance of anthropological classifications. They involve the only type of ethnic differences concerning the genetic mechanism of which we possess definite information, based upon the application of rigorous quantitative treatment. It is hence of the utmost significance to ask how far it is possible to establish any parallelism between the distribution of the iso-agglutination<sup>1</sup> reactions and single or grouped measurements of osteometric or other somatic characters which have been used by physical anthropologists as a basis for racial classification. The object of this survey is to set forth relevant information bearing upon this issue, and to discuss some theoretical implications emerging from its treatment.

The fact that our knowledge of the genetics of the blood-groups is of so definite a character makes it possible to ask what light their distribution may throw upon the migrations of peoples, without raising controversial issues which arise in connexion with the definition of a race as used by the geneticist on the one hand, and by different schools of anthropologists on the other. For any community living

<sup>1</sup> Agglutination of blood by the clumping of the red blood corpuscles when brought into contact with the serum of another individual. Human beings fall into four main groups according to the presence in their red cells of one (A or B), both (A B), or neither (O) of two substances called agglutinogens. Blood transfusion between persons belonging to the same blood-group can always be successfully carried out. The free mixture of blood from persons of two different blood-groups results in agglutination.



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within a restricted geographical area we can determine the proportions of the several blood-groups. From these, with remarkable fidelity, as Bernstein has shown by a simple application of the principle of random mating,<sup>1</sup> we can derive the gene frequencies of the allelomorph system<sup>2</sup> involved. There is thus no temptation to confuse a statistical characteristic of the population so described with what may be a quite fictitious conception of the homogeneity of the individuals of which it is composed. Nor need we fall into the error of distinguishing between two groups on the basis of a mean difference, when the inter-group variance is not appreciably greater than the sum of the intra-group variances. In relation to a genetic analysis of the race concept, the study of blood-group distributions has especial merit because the phenotype classes are individually recognizable throughout the whole range of environment to which human populations are normally exposed. The iso-agglutinin reaction is not known to be affected by age, general health, climate, or by any common disease.

Before discussing how the distribution of the blood-groups compares with that of other somatic differences, some reference must be made to : (1) the most convenient form in which to represent the data statistically, and (2) the consistency of the available data. Various indices have been proposed for the description of blood-group distributions. The attempt to combine three variables in a single index only confuses the issue. The most satisfactory way to exhibit

<sup>1</sup> Since human beings cannot be brought under laboratory conditions, it is not possible to test a genetic hypothesis by crossing individuals from pure stock as Mendel did. A genetic hypothesis can only be tested experimentally by deducing the consequences of different systems of mating. When the genetic difference can only be identified by scientific tests, individual preference does not affect the choice of a mate and we may treat the problem mathematically on the assumption that marriage is a lottery. This means that the relative proportions of matings between different genetic types only depends upon the proportions of the genetic types concerned (*vide* Hogben, *Nature and Nurture*, Chapter 2).

<sup>2</sup> Gene is the modern term for Mendel's unit factors. An allelomorph represents the alternative factor derived from the other parent, when an individual is genetically impure.

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population statistics is either to give the total proportions of individuals with the B agglutinin (genotypes  $bb$ ,  $br$ , and  $ab$ ), the total proportions of individuals with the A agglutinin ( $aa$ ,  $ar$ , and  $ab$ ), and the total proportion of individuals who lack both ( $rr$ ); or to give what is statistically equivalent, the gene frequencies<sup>1</sup> of  $a$ ,  $b$ , and  $r$ . A population is then distinguished by relatively high or low gene frequency for one of the triple allelomorph series. In this way the relevant information is not confused.

As regards the consistency of different samples, three points are of especial importance: (1) The first is errors arising from faulty administration of the tests. This point has been discussed by Bernstein (1930) and Lattes (1932), and is closely connected with a second to be mentioned later. In view of the fidelity with which mass data, as shown by Bernstein, conform to the principle of random mating, any sample may be rejected if the sum of the gene frequencies,  $a$ ,  $b$ ,  $r$ , departs significantly from unity. (2) Even if this test is satisfied, we cannot speak with confidence of the significance of  $a$ , when dealing with earlier samples, owing to the subsequent discovery of a second A group by Landsteiner. (3) A third point of importance is, of course, the size of the sample. The application of the goodness of fit criterion to blood-group data necessitates recourse to samples of at least 500 individuals to insure a probable error of no more than 2 per cent.

## II. GENERAL DISTRIBUTION OF THE BLOOD-GROUPS

For the reason already stated, greatest importance is to be attached to the distribution of Group B. The first map<sup>2</sup>

<sup>1</sup> Mendel's factors are now known to be located in the microscopic cell-organs called chromosomes. Any one gene may be present on one or both members of a particular pair of chromosomes. The probability that it will be present on a particular chromosome of the appropriate pair is called its gene frequency. If we consider a particular pair of Mendelian factors in a population containing a proportion  $N$  of recessive individuals, the gene frequency of the recessive gene is  $\sqrt{N}$  and that of the dominant gene  $1 - \sqrt{N}$ . In a system of random mating the gene frequencies can be deduced directly from the proportions of the several genetic types.

<sup>2</sup> Maps on pp. 30-34.

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brings into prominence the following general conclusions. An exceptionally low gene frequency for B is highly characteristic of the bulk of western Europe (including Scandinavia, Britain, Spain, and France), the aboriginal population of Australia, and the entire aboriginal population of the American continent, Greenland, and Hawaii. In all of these the concentration of Group B is less than 10 per cent. of the population, except in a few isolated samples, where it is never as high as 20 per cent. The southern Italians, with a very high B percentage (27.1 per cent.), constitute a class by themselves, whereas the Spanish and Portuguese, classified with the southern Italians by anthropologists as the purest "Mediterraneans," have a very low B (6.1 and 3.9 per cent. respectively).

An exceptionally high concentration of Group B, equivalent to more than 30 per cent. of the population, is characteristic of India, the Philippines, Turkestan, Mongolia, and northern Japan. In the remainder of Asia, and the Malay Archipelago, the concentration of Group B lies between 20 and 30 per cent. of the population. The same applies to a considerable section of the aboriginal population of Africa; the Mediterranean regions, however, show in general a rather lower concentration of Group B. As regards Group O, the most noticeable fact is that the concentration is exceptionally high among the aborigines of America and exceptionally low over the entire continent of Asia.

If we wish to make a rough classification of the distribution of the blood-groups, we may distinguish between two main geographical regions: (1) one composed of Africa, the extreme east of Europe, and the whole Asiatic continent, including the islands west of Wallace's Line; (2) the other including the extreme west of Europe, Iceland, Greenland, and the aboriginal populations of America, Hawaii, and Australia. This orientation is notably determined by ocean barriers rather than by mountain ranges. Thus, there is no indication of any abrupt change in the blood-group distri-

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bution on either side of the Himalayas, Urals, or Andes. As far as they go, the data suggest the ebb and flow of populations from Africa and Asia across Mesopotamia. On the other hand, they throw absolutely no light on the settlement of the American continent or of the Australasian region. As regards the latter, it is noteworthy that New Guinea occupies a position midway between Australia and the Malay Archipelago with respect to the concentration of B. The most striking anomaly is the discontinuity between north-east Asia and north-west America. The only indications of any drift of population between the American and Asiatic mainlands appears to be found in the islands of the Tropic of Cancer, which seem to be a most unlikely route of migration.

Although it may harmonize with convincing conclusions, independently based upon historical data, to interpret the high concentration of B both in Africa and Asia in terms of migrations, it would be equally plausible, on the facts as they stand, to deduce the settlement of aboriginal America from western Europe or vice versa. If other evidence leads to the conclusion that these continents were peopled by Asiatic migrations, all that we are entitled to surmise from the blood-group distribution is that the settlement of Australia and America must have taken place at an exceedingly early date, when the composition of the Asiatic population was entirely different from what it is to-day. Such a conclusion is consistent with the usual ethnological view that America was peopled by Asiatic populations driven out of the latter continent by the present occupants. In the absence of any evidence from other sources, the distribution of the blood-groups would militate against the belief that America and Australia were settled by migration from the Asiatic mainland.

### III. COMPARISON OF THE BLOOD-GROUP DISTRIBUTION WITH THAT OF OTHER ANTHROPOLOGICAL CRITERIA

In the preceding section, the issue dealt with might be expressed in the following form: To what extent does the



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geographical distribution of the blood-groups provide evidence that geographical isolation has segregated human populations which differ statistically in their genetical composition? This leads to a second question: How far are any conclusions drawn from blood-group data alone consistent with what may be inferred from the distribution of other single or grouped anthropological criteria?

It is unfortunate for this purpose that the statistical criteria employed are not strictly comparable. Thus, if such data were available, it would be better to compare the blood-group composition of different populations, as measured either by the percentage of Group B or by the gene frequency of *b*, with the percentage of persons in the same populations with a cephalic index higher or lower than a certain limit, instead of using an average measurement. The latter, taken by itself, may throw very little light upon the genetical structure of a population. Professor E. A. Hooton, of Harvard University, has clearly demonstrated the misleading nature of such anthropometric averages in his study of the ancient Teneriffe crania. Using twenty-two morphological features, each having five gradations, he found that, of 247 male crania, no two individual skull curves were alike. Furthermore, it is true that when any living European sample is analysed for its component groups, it is found to contain several distinct phenotypes; any group of statistical means, therefore, is liable to suggest an entirely unwarranted homogeneity.

In Maps 1 and 2 which illustrate the text, the percentage distribution of Group O and of Group B (Jansky I and III) is first represented. These are based upon adequate samples given by Lattes (1932). The world distribution of cephalic index, stature, and of nasal index on the skull is represented in figures which follow. All of the anthropometric data are subject to the usual criticisms arising from the diversity of the techniques employed; the data for the nasal index are the most unreliable. The data constitute, nevertheless, the best



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available criteria at present used for the definition of human races. The traits chosen are those considered by all anthropologists to be the most significant for racial differentiation.

*Cephalic Index and the Blood-groups.*—The concentration of Group O (Jansky I) is highest both among the brachycephals, as in North and South American Indians (Peru and the Araucanos), North Italians, Dalmatians, and the Dutch, and among dolichocephals, as in Australia, New Guinea, and among Eskimos. The concentration of Group B (Jansky III) is likewise highest both among dolichocephals, such as the Basuto, Senegalese, Yoruba, Abyssinians, Hindus, and Buriats, and among brachycephals, as in Manchuria, Mongolia, Russia, Poland, and Java. Similarly, the concentration of each group can be found at its lowest among both dolichocephalic and brachycephalic peoples.

*Blood-groups and Stature.*—It will be seen, furthermore, that Group O may attain its highest concentration both among short peoples, as in Sumatra, the Malay Archipelago, the Philippine Islands, and Sardinia, and also among tall peoples, as in Senegal, England, Australia, and among North American Indians. In the same fashion, its lowest concentration can be found among both short and tall peoples. Group B, likewise, may reach its highest concentration among short peoples, as in Russia, the Philippines, Manchuria, Japan, and southern Italy, or among tall peoples, as in northern India, Senegal, and Madagascar. Similarly, its lowest concentration may be found among both short and tall peoples.

*Blood-groups with Nasal Index, Skin-colour, and Hair-form taken together.*—The highest concentration of Group O is attained either among (1) straight-haired, leptorrhine, yellow or white-skinned people, as among Eskimos and European Icelanders; or among (2) straight-haired, mesorrhine or platyrrhine peoples, of reddish or brown skin-colour, as among North American Indians; or (3) among platyrrhine, wavy-haired people, of brown or yellowish skin-colour, as in Australia and parts of the Philippines and the Malay

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Archipelago. The lowest concentration of Group O may be found among peoples with equally divergent nasal index, skin-colour, and hair-form.

Similarly, *the highest concentration of Group B* may be found—and this fact has been overlooked by some who seek to relate existing classifications with blood-group distribution—either (1) among leptorrhine or mesorrhine, “white”-skinned, straight-haired peoples, as in southern Italy, Sicily, among the Buriats and Kirghiz Uzkegs, and the Russians of Krimschack and Kasak (B over 30 per cent. in samples of more than 1,000); or (2) among yellow peoples with leptorrhine noses (northern Chinese and Eskimos), or yellow peoples with mesorrhine noses (Japanese and southern Chinese), or yellow, brown, or black peoples with platyrrhine noses (Siamese, Sea-Dyaks, and in the Philippines, New Guinea, and parts of India). Hair among these highest B groups may be straight, wavy, frizzly or woolly (New Guinea). The very highest concentration of Group B is found in northern India, Samal, and Manchuria; in these three localities it cuts across hair-form, skin-colour, nasal index, stature, and cephalic index. Similar contrasts may be shown for the lowest concentration of Group B in relation to skin-colour, hair-form, and nasal index classifications (Sweden, Australia, Hawaii, Germany, Spain, North America, and among Lapps and Eskimos).

### IV. CORRESPONDENCE BETWEEN THE DISTRIBUTION OF ANTHROPOMETRIC DATA IN GENERAL

It has been emphasized already that the precise genetical knowledge which we now possess concerning the blood-groups makes the discussion of their geographical distribution an issue of pivotal importance in connexion with any concept of race which can be interpreted in terms consonant with modern genetic theory. The inconsistencies which have appeared in the foregoing comparison between the geographical distribution of the blood-groups and that of other

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anthropological characteristics justify a brief survey of the correspondence between other types of anthropological data, before discussing whether it is impossible to harmonize the concept of race, as it is employed by physical anthropologists, with such a system of classification as would be based upon genetical analysis if adequate data were available.

It will not be necessary to deal with this issue in great detail, since the facts are familiar to every trained anthropologist. Ignoring, then, the well-known variation of certain characteristics among peoples who are usually grouped together (in Negro Africa, for example, Montandon (1928) and Struck (1922) find the mean cephalic index ranging from below 70 to above 87, and there would undoubtedly be a tremendous range, even if all the samples were statistically adequate), let us turn our attention to the distribution of the various measurements and observations with regard to each other.

*Cephalic Index and Stature.*—It is obvious that very dolichocephalic peoples may be short, as in Sardinia, Portugal, New Britain, Nigeria, and Ceylon; or very tall, as in East Africa (Nilotes), Scandinavia, Abyssinia, Australia, and northern India. Similarly, brachycephalic peoples may be short, as in Bavaria, Poland, Siberia, and the Caucasus, or tall, as in Dalmatia, Albania, Hawaii, and southern California.

*Cephalic Index and Nasal Index.*—Dolichocephalic peoples may be platyrrhine, as among the Basuto, Australians, and many tribes in China and India; or leptorrhine, as in England, southern Spain, Schleswig-Holstein, and among Eskimos. Similarly, brachycephalic peoples may be platyrrhine, as in the French and Belgian Congo, North America (west coast), and Mongolia; or leptorrhine, as in northern Germany, Poland, and parts of Russia and China.

Every gradation of *colour* can be found among both dolichocephals and brachycephals. I shall not point out, in detail, how both stature and nasal index also cut across all the other categories. It is important to notice, however,

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that platyrrhiny, regarded usually, along with woolly or frizzly hair and black or brown skin, as a distinguishing characteristic of Negroes, can also be found among Hindus, American Indians, Chinese, North Caucasians, Sea-Dyaks, Japanese, Malays, and Polynesians, whose skin-colour and hair-form are quite different from Negroes. Furthermore, mesorrhiny and leptorrhiny are found among Abyssinian tribes who have frizzly or woolly hair (Sergi (9) found the modal nasal index of 105 Tigre crania to be 47.0), as well as among the wavy-haired, almost black Somali and Danakil.

Even using the far too broad gradations of skin-colour and hair-form distinguished by anthropologists, it is obvious that both these categories also cut across each of the other traits dealt with in this communication—an observation fatal to the view that the “darker” and “lighter” races constitute monophyletic stocks. Dark-brown skinned people, with curly hair, for example, can be found with every gradation of cephalic index, nasal index, and blood-group proportions, as can also white-skinned peoples with straight hair. In the present state of knowledge, the following conclusions seem to be justified: (1) It is not difficult to devise for mankind, as a whole, artificial systems of classification based upon the study of single attributes, which have very definite regional foci. (2) Nor can it be denied that we can readily recognize some groups of attributes with respect to which regional foci with comparative homogeneity can be isolated, as for example those African forest communities in which dark skin, platyrrhine nose, woolly hair, and alveolar prognathism may be practically universal. (3) Such foci, which might be used to define a natural grouping based on unity of type or selective agencies, are very much more *restricted* than the areas mapped out in early and, as is now recognized, essentially artificial systems of race classification. In the intervening regions we discern every sort of gradation. This might be put in simple terms by saying that while we can recognize certain restricted communities as natural

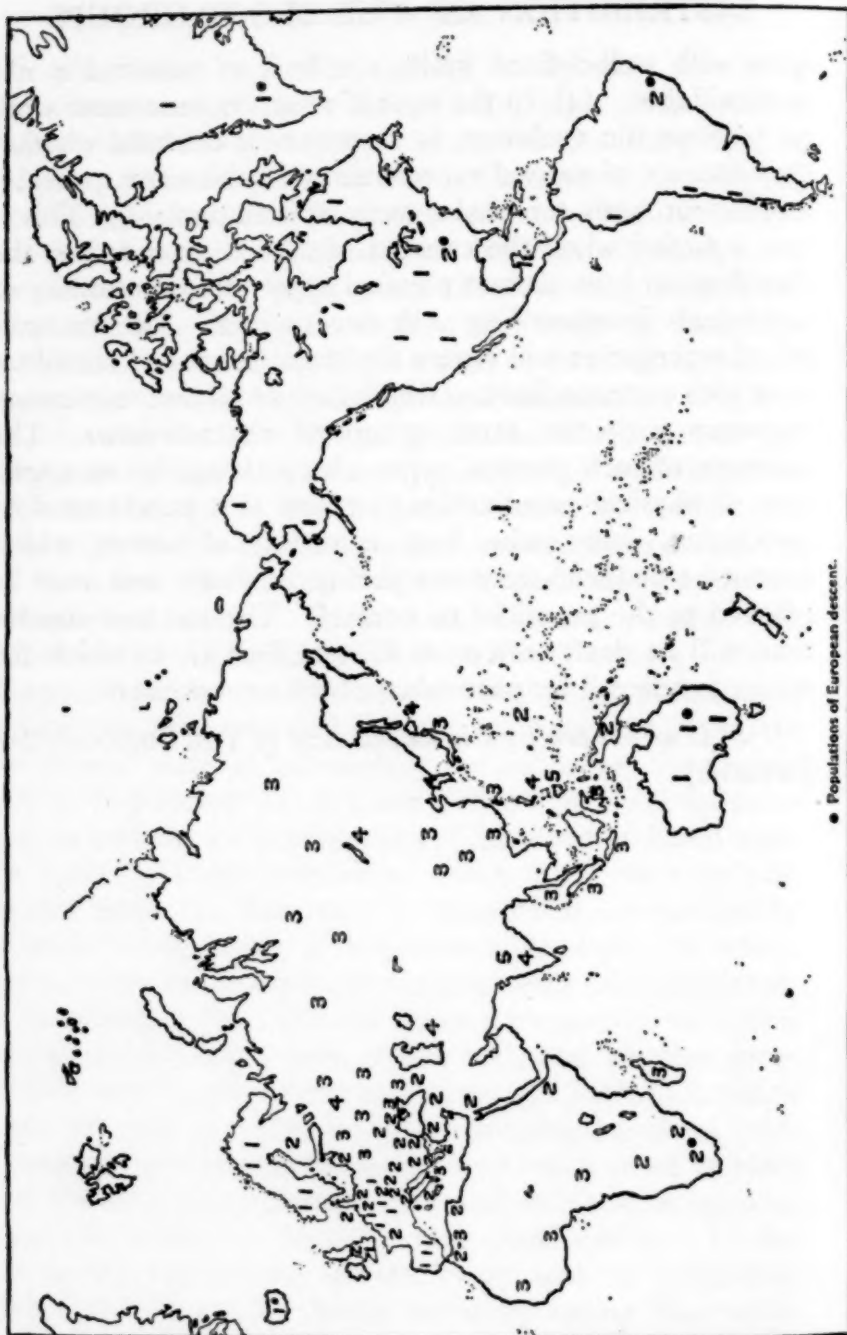
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racess with well-defined limits, the bulk of mankind is not so classifiable. (4) In the light of recent experimental work on interspecific evolution, it is extremely doubtful whether the existence of natural races, defined in this sense, provides a sufficient basis for phylogenetic speculation. (5) This is true *a fortiori* when the concept of race is extended to the classification into distinct physical types of a community of individuals interbreeding with one another. The mechanism of segregation will ensure the reappearance of combinations with common features which they do *not* owe to common ancestors with the same group of characteristics. The existence of such physical types, characterized by an aggregate of physical peculiarities in excess of a purely random association, may arise from a variety of causes, which cannot be deduced from morphological study, and must be referred to the geneticist to unravel. The last two conclusions will be dealt with more fully in Part II, to which the reader is referred for particulars of the sources cited.

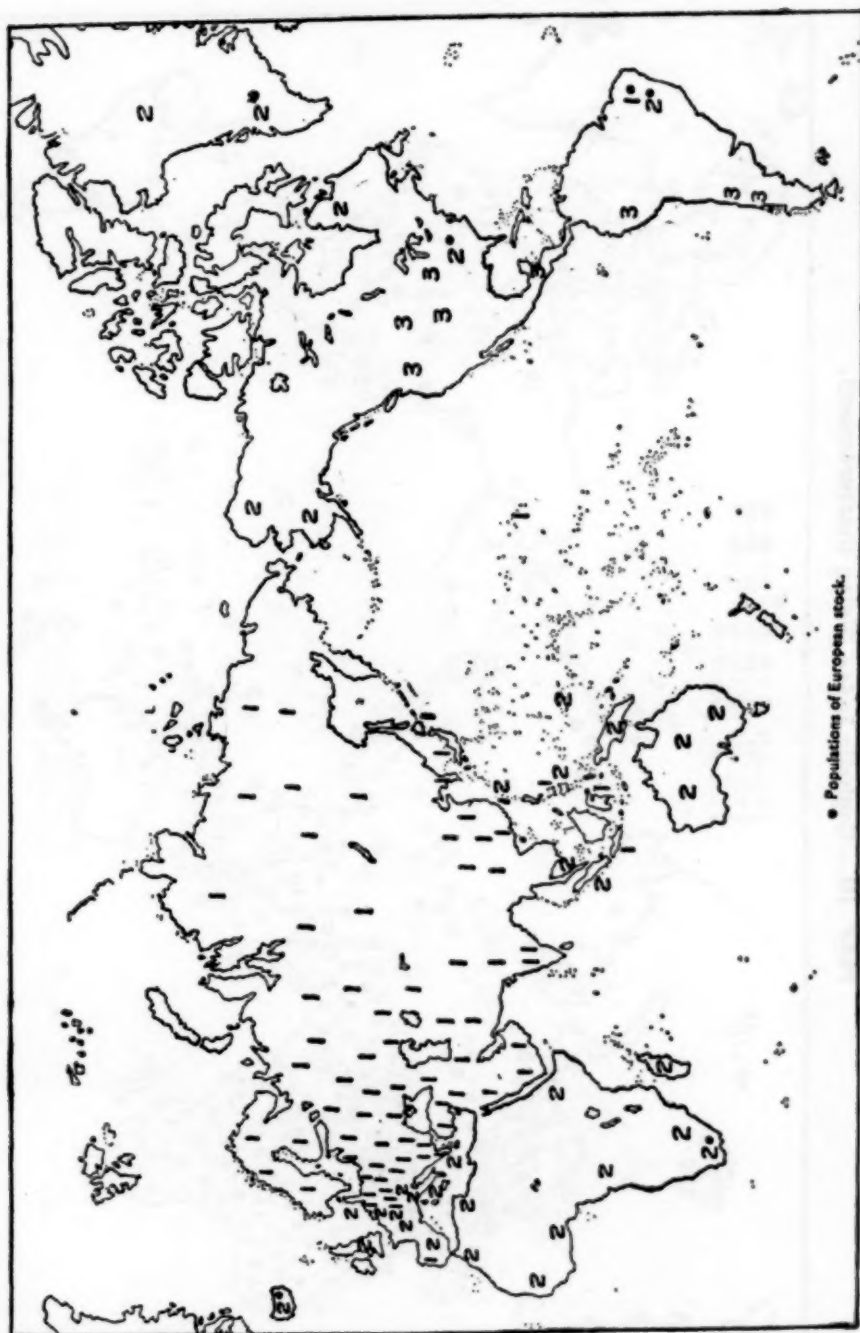
(*Part II will be published in the next issue of THE SOCIOLOGICAL REVIEW.*)



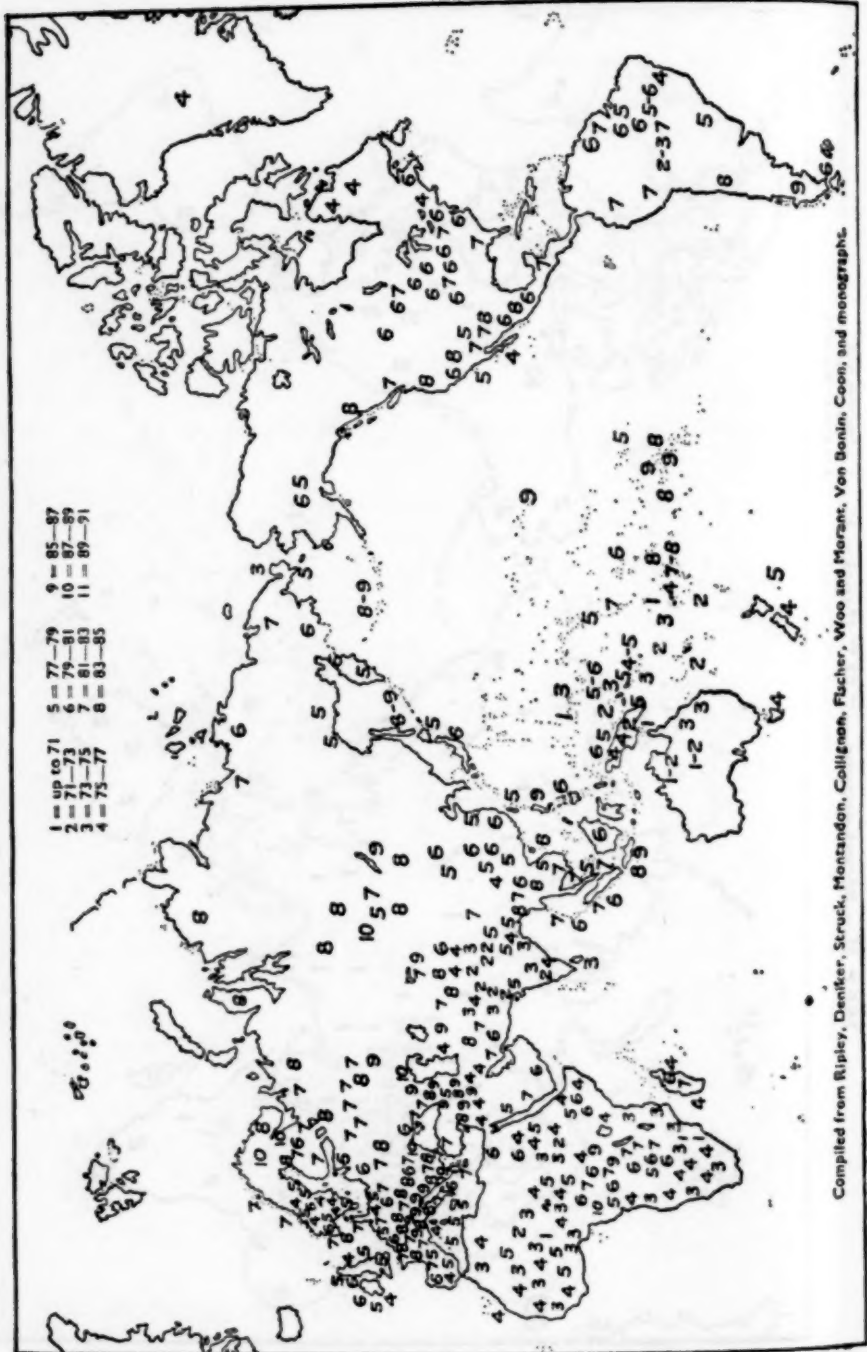
MAP I.—Blood-groups.—“B” (Jansky III). 1 = less than 10% 4 = 30%—40%  
 2 = 10%—20% 5 = over 40%  
 3 = 20%—30%



1 = less than 40%  
2 = 40%—60%  
3 = greater than 60%

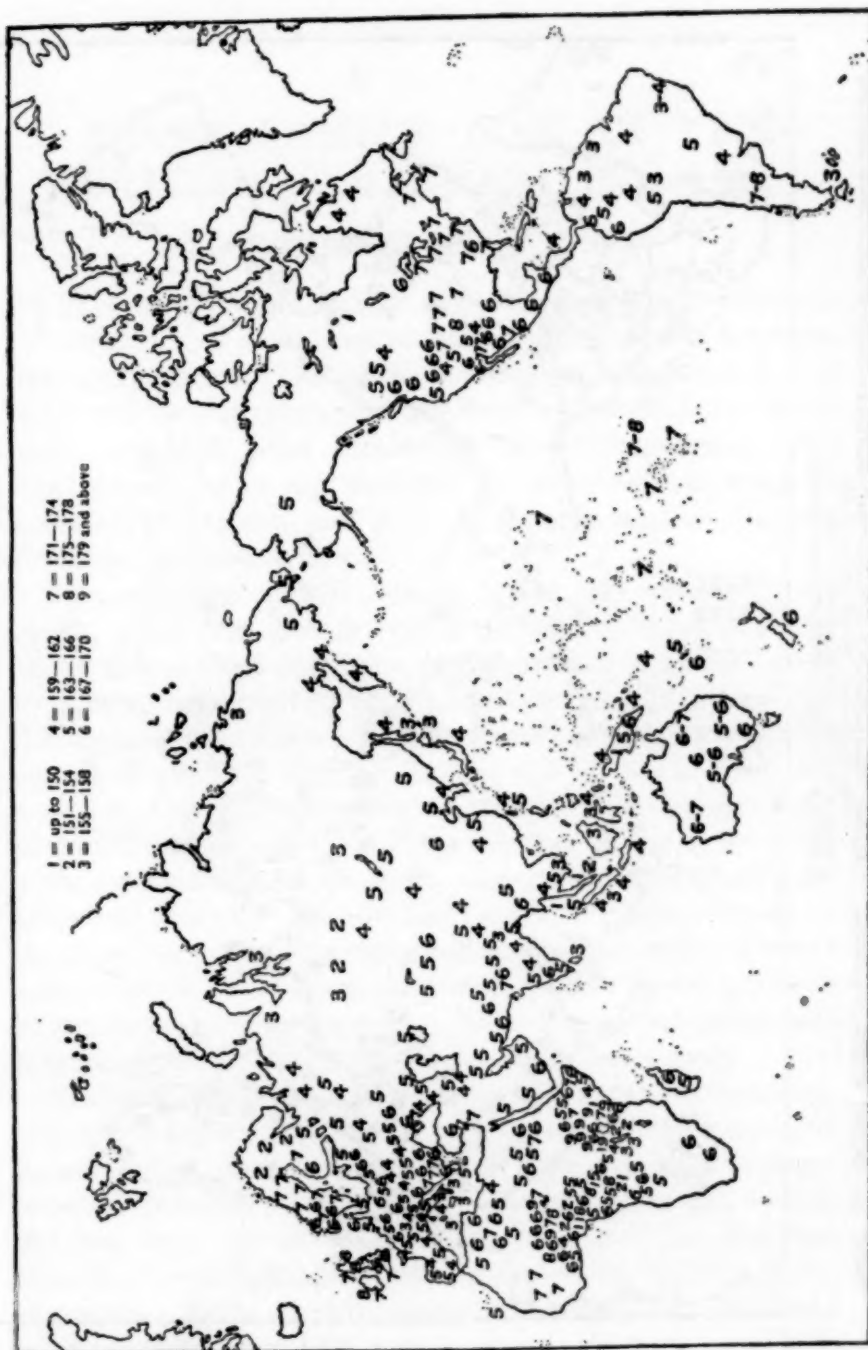


MAP III.—Cephalic Index (living measurement).



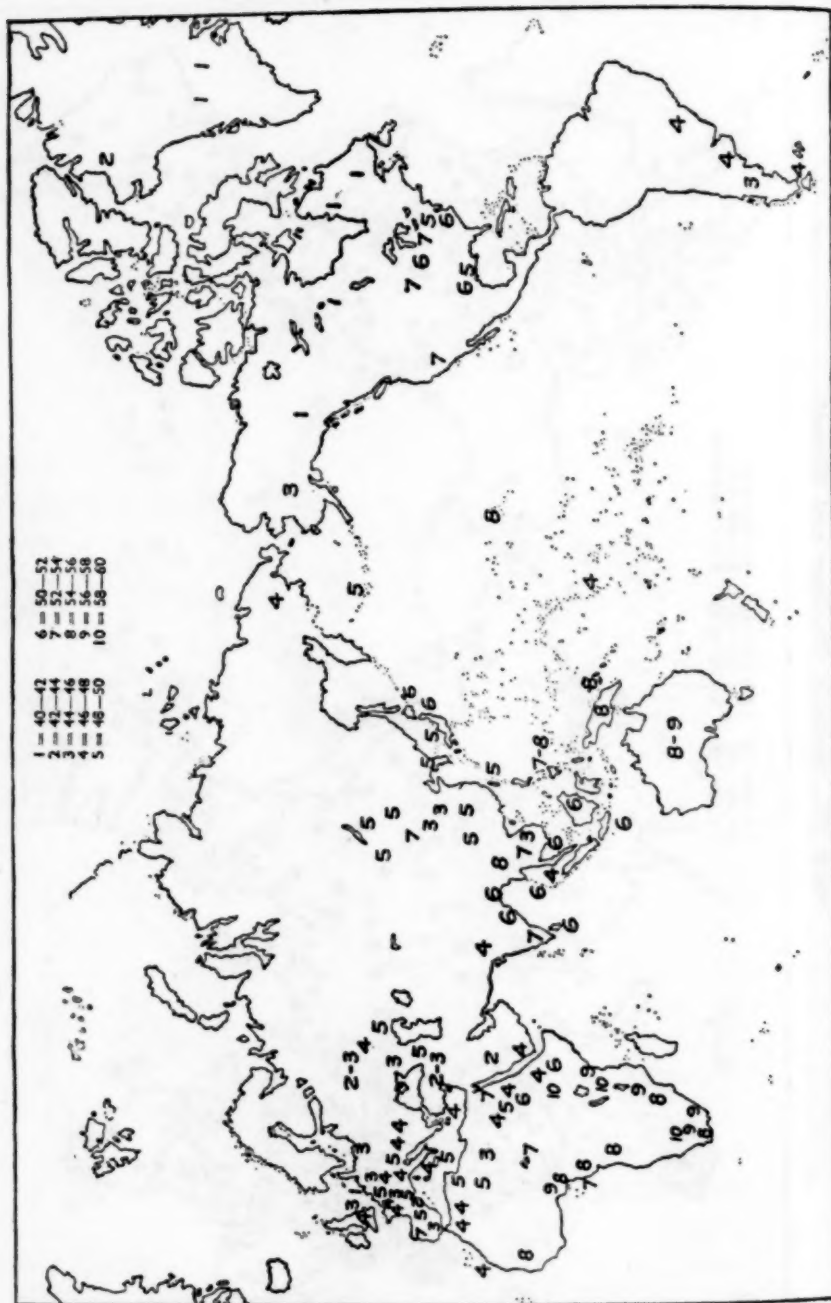
Compiled from Ripley, Deniker, Struck, Montandon, Collignon, Fischer, Wroo and Morant, Von Bonin, Coon, and monographs.

MAP IV.—Stature (Deniker and Ripley).



# **MAP V.—Nasal Index.—Crania.**

1. Thomson, Arthur and Buxton, L. H. Rudley.—"Man's Nasal Index in Relation to Certain Climatic Conditions." *J. Roy. Anthro. Inst.*, Vol. LIII, 1923, pp. 92-122.
2. Dixon, R. B.—"The Racial History of Man," 1923.
3. Deniker, J.—"Les Races," 1924, and various monographs.





## SLAVE FAMILY LIFE IN THE BRITISH COLONIES: 1800-1834

*By* WINIFRED M. COUSINS

THE condition of family life among slaves is obscure. Evidence of conditions in British slave colonies is scanty, but there is some valuable material to be found in the observations of planters and travellers, whose published books and pamphlets form interesting social documents. This information can be supplemented by data from Government papers and reports, and it is upon these sources that the following account is based.

The marriage system among slaves was chaotic. The slaves, when they first arrived from Africa, made some attempt to introduce polygamy, each headman or driver taking to himself several wives, after the manner of an African chief. Throughout the sugar islands, however, polygamy broke down. Even the driver, armed with a whip, had not authority enough to compel an extra wife to be faithful, if she preferred another man. African marriage is deeply involved with the structure of the tribe, and in the New World the tribe was lacking. No one had power to give a woman in marriage or to receive the bride-price, no tribal council inflicted fines for adultery, no public opinion forced any code of conduct on either partner. Thus formal polygamy was brought to an end through the dissent of the women.

Christian marriage was introduced by the missionaries, who made a determined effort to induce their black converts to marry, but, until the last years of the slave era, marriages between slaves were not recognized by the law, and in no case did they have any effect on the legal status of the children. How far the obligations of marriage were observed remains uncertain. In the French colonies efforts to induce the slaves to marry had been begun at a very early date; and it is

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possible that in colonies taken over from France, such as Mauritius, the island-born slaves had reached a definite idea of the family. In the British West Indies most of the marriages were celebrated during the years immediately preceding Emancipation, a time when the influence of the missionaries was high; but since the marriage-rate declined later, this incursion into monogamy was perhaps rather illusory. The steadier minds seem to have sorted themselves into couples, wedded or not, in unions not always permanent, while the remainder lived in promiscuity.

Until the cessation of the Slave Trade after 1807, the Island Negroes were desperately short of women. Importations rarely contained more than one-third of females, and some recorded shiploads show three men or four men for every woman. Thus the tax-roll of Mauritius for 1809 shows 52 women slaves per hundred men slaves, and among slaves classed as adults, 44 women per hundred men.

In other colonies the admixture of a larger proportion of island-born or "creole" slaves brought the proportions approximately to two women for every three men. After the slave trade ceased, the sex-ratio among Negroes gradually returned to normal, which in a Negro population undisturbed by migration seems to be about 105 or 106 women per hundred men. When the first Registration of Slaves was made in the British West Indies in the years 1815-17, the numbers of men and women slaves were very nearly equal.<sup>1</sup> The West Indian Colonies (not including British Honduras, Tobago, the Bahamas, or the Virgin Islands) contained 355,682 male slaves and 352,030 female slaves, or 98.9 women per hundred men.

Since the Inter-Colonial slave trade was not prohibited till 1825, male slaves were constantly drafted from the more settled colonies to work in the newer, less developed lands. Thus at the time of the first registration, Trinidad had 80.7

<sup>1</sup> *House of Commons Papers*, 1824, Vol. XXIV. "Returns of the Slave Population in the British Colonies in the West Indies."

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women slaves per hundred males, and Demerara 76; Berbice and St. Vincent also had a high masculinity. In Jamaica the sex-proportions were almost equal, a level which soon after turned into an excess of women. In the Leeward Islands the slaves showed nearly 112 females, in Barbados 119 females, and in St. Lucia 120 females per hundred males. It is worth noting that in modern times free migration has produced even greater discrepancies in the numbers of the sexes in these colonies.

Slavery was inherited in the female line. The child of a slave-woman was born in servitude, irrespective of the status of the father. "Mine is the calf that is born of my cow," said the ancient slave law of Africa and of Europe. Paternity counted for little; the Negroes regarded the children as belonging to the mother rather than the father.

The old French slave law, the "Code de la Martinique," recognized in set terms that slavery was transmitted only through females. It declares: "Les enfans qui naîtront des mariages entre les esclaves, seront esclaves, et appartiendront aux maîtres des femmes esclaves, et non à ceux de leurs maris. . . . Voulons que si le mari esclave a épousé une femme libre, les enfans, tant males que filles, soient de la condition de leur mère, et soient libres comme elle, nonobstant la servitude de leur père et que si le père est libre et la mère est esclave, les enfans soient esclaves pareillement."

This fact has some importance in an attempt to estimate the legal position of slaves. Though the British slave law laid down no provisions regarding the marriages of slaves, a comparison with the French law will show that the female descent of slave-status was not due to illegitimacy, or to a practical difficulty in discovering the identity of the father. Transcending the paternal rights implied by marriage stood the ancient law that the child of the freewoman is free and the child of the bondwoman is a slave—a custom which may well be far older than marriage.

On arrival in the New World, the Negroes lost their tribal

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organization. Most of them had been slaves in Africa and did not represent the most developed Negro traditions. Some of their ancient culture survived—Obeah and Voodoo, folklore, spirits, handcrafts, and markets. But their complicated family structure did not survive; they had forgotten the elaborate rights and duties assigned to the father and his kin, and the different, ancient claims of the woman's clan. A vague matriarchal sentiment remained, as also the custom by which each wife had her own hut. Europeans take it for granted that husband and wife live normally under the same roof; among the Negroes they might live in separate houses, the husband visiting his wife's hut when he wished to do so. The system was unfavourable to monogamy; but traces of it are found in the West Indies to-day.

In some important respects the place of the tribe was taken by the estate, which guaranteed support for all. Every slave had a legal right to subsistence; and his dues, enforceable at law against his master, were laid down in the slave laws of each colony. Each adult received a yearly allowance of clothes and foodstuffs, with hut or house-room, medical care, and land to grow ground-crops; childing mothers received gifts and hospital care. Each child received an allowance in proportion to its age, and had the certainty of employment when grown up. House-slaves, at least, were not exposed to hardship, for these domestic slaves—servants and men's mistresses—were not ill-treated and were not worked in the field.

Thus the system of slavery abolished all prudential checks to population. The parents were in no way burdened by their additional children. The estate was bound to provide for them all and was glad to have them, and allowed the mothers partial freedom from work as a reward.

From 1815 onwards, the slave colonies were required to make a triennial Registration of Slaves, and to report the total, with the number of births and deaths, to the Secretary of State. The returns were sent in irregularly and under many different forms. In the *House of Commons Papers* for

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July 1830 (Papers relative to the Slave Population) appear reports sent in by several colonies, giving returns of slaves for periods between 1823 and 1829, which have been averaged to form the following table (p. 40). The return for St. Lucia gives the birth-rate for 1821-4, calculated against the number of slaves in 1822. The figures for Barbados are to be found in the *House of Commons Papers*, Aug. 1832, Report of Select Committee on the Extinction of Slavery. (Evidence of Amyot.) The returns from Jamaica, unfortunately, were not only incomplete but wildly inaccurate, and could not be used.

In 1826, Demerara and Essiquibo had 75,000 slaves, Antigua 30,000, Grenada 24,000, Dominica 14,000, St. Lucia (for the year quoted, 1822) 13,000; while St. Vincent and Trinidad had about 23,000 each, but Trinidad had also the large number of 15,000 free coloured persons. Barbados had 80,500 slaves and was, like the Leeward Islands, even then densely peopled.

The sex-ratios of the various islands had returned to a more normal level than they had shown in 1815. Trinidad and Demerara still had an excess of males, but the other islands showed sex-proportions that were about equal, or, in those islands that had been depleted of men by the inter-colonial slave trade, a reduced excess of females. Two sets of figures have accordingly been given, the birth-rate per thousand slaves and the birth-rate per thousand slave females. It will be noticed that then, as now, in the West Indies a deficiency of males does not reduce the birth-rate, which depends on the number of fertile women, not on the number of married couples. Thus Barbados, which even in 1826 had 118 women per hundred men, now has 148 women per hundred men (most recent Census, 1921), with a birth-rate for 1922-31 of 35.5 (birth-rate per thousand females, 59.5).

For the purpose of comparison the modern birth-rate of each colony has been added, taken from the Colonial Reports. The figures are the average for the ten years 1922-31. Except in British Guiana, the births of the different racial



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groups are not separately recorded; the whites, however, form but a small part of the total, being about 2 per cent. of the inhabitants in every colony, except Barbados, where they number 7 per cent. The coloured people (mixed breeds of Negro-European stock) are upwards of 20 per cent. of the total, and it is possible that mixture of blood has been more general than the Census declares. East Indians make up one-third of the population of Trinidad.

Colony.	Period (Slave-rates).	Birth-rate per 1,000 Slaves.	Birth-rate per 1,000 Female Slaves.	Death-rate per 1,000 Slaves.	Birth-rate (1922-31).
Barbados .	1820-9	37.7	72.1	28	35.5
Antigua .	1825-9	21.4	42.9	20.3	35.4
Dominica .	1827-30	30.9	58.9	29.3	37.2
Grenada .	1826-9	28	54.5	29.6	32.67
St. Lucia .	1821-5	26.1	48	29.2	34.2
St. Lucia .	1824	31.2	58	19	—
Trinidad .	1825-30	18.2	37.7	27.5	32.06
St. Vincent .	1825-8	29.3	49.9	27.9	38.56
St. Vincent (Plantation Slaves) .	1825-8	24.4	48.4	28	—
St. Vincent (Non-Planta- tion Slaves)	1825-8	31.7	58.2	26.4	Total
Demerara and Essiquibo .	1826-9	22.49	48.3	27.6	Br. Guiana 31.19 Negroes only 28.49

Most of the returns for 1826 are below the average for 1922-31. This must be attributed to the unusual age-grouping of those years, and to the lower fertility of plantation slaves, who, owing to their hard lives and promiscuous habits, were not very prolific. St. Vincent sent in an additional return giving figures for "plantation slaves" only, and from these it was possible to obtain the figures for the remainder, house-slaves and town-dwellers, with a high proportion of domestic servants. These latter slaves had a low masculinity, with a higher birth-rate and a lower death-rate than the field-slaves. In Britain, domestic servants have almost no birth-rate; it was otherwise in the West Indies. Two of these returns seem definitely low—those for Antigua

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and Trinidad. The latter were obtained from a careful report in which the births showed little variation during five years; they should therefore probably be accepted, and the low figure attributed to climate and bad social conditions. The returns from Antigua may be viewed with suspicion. In St. Lucia, the returns show a birth-rate almost doubled in four years, at a time when, on the evidence, the birth-rate should have been falling. Probably, therefore, the earlier returns were incomplete, and the figure for 1824 is the most likely to be correct. Any report, or any single return, that is obviously wrong has been omitted. Thus Jamaica and Montserrat could not be used, and no figures are given for Mauritius because a governmental despatch threw doubt on their records.

Slave death-rates were high, but not higher than rates often found in these colonies during the twentieth century. In 1826 the slaves must have had an exceptional number of elderly persons. During the last years of the slave trade the planters, knowing they would soon be prevented, made extra large importations of slaves, chiefly adults, aged 15 to 25 years. By 1826 these persons were elderly. The number of slave-women of fertile age was constantly reduced by manumission. Few adult Negro males were set free, because they were needed on the estate, and few aged persons, because they could claim compensation. Slaves manumitted were generally children, or young women, or mothers of families. Manumission seems to have been especially common in Trinidad.

Barbados had suffered least disturbance; age-groups there were normal for the race and time. At an early date this island had been thickly peopled, and by 1800 it needed very few imported slaves. In 1817 only 7 per cent. of the slaves in Barbados were African born, against 93 per cent. born in the West Indies. <sup>1</sup> An interesting return gives the slave popula-

<sup>1</sup> *H. of C. Pp.*, 11/8/1832, "Report of Selt. Comtee. on Slavery." As previous reference for Barbados.

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tion for Barbados in the year 1817 divided into age-groups. A total of 77,493 persons were divided into classes that give the following percentages:

BARBADOS, 1817: AGE-GROUPS

Ages in Years.	0-10	11-20	21-30	31-40	41-50	51-60	61-70	Over 70
Per cent. of Slave Population	29.73	21.59	18.82	13.66	8.6	4.67	1.99	.94
Numbers	23,038	16,735	14,579	10,591	6,667	3,616	1,546	721

The total was 77,493 slaves. 3.36 per cent. were under 1 year old. 133 persons claimed to be over 80 years of age, of whom 7 were said to be upwards of 101, but perhaps too much reliance should not be placed on these statements. It will be noticed that more than half the number (51.32 per cent.) were under 21, and that only 29.25 per cent. were over 31—a number that would have been still smaller if it were not for the 7 per cent. of Africans, most of whom would be in that group. 16.2 per cent. were over 41.

Unfortunately this return does not distinguish the sexes. Barbados had in 1817<sup>1</sup> 119.2 women per hundred men, 42,139 females in all, among the slaves. From the age-groups (assuming that the rate of decrease is constant for each decade of ages), there were 38,176 persons aged 15-45, but there is no record of how many were women. In the British Guiana Census, 1921, the Negro race showed a comparable excess of females, having 110 women per hundred men. The excess of women over men in the age-group 15-45 amounted to 75.5 per cent. of the total surplus of females. Assuming that the slaves also had three-quarters of their surplus of females within that age-group, they had 21,633 women aged 15-45. If anything, the concentration of females within that age-group was more among slaves than it is in modern Guiana. Taking the birth-rate as 37.7, which is the average for the nine years 1820-9, there would have been 2,921

<sup>1</sup> *H. of C. Pp.*, 1824, Vol. XXIV, "Return of Slave Population."

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births. That gives 135 births per thousand women aged 15-45.

This figure is only approximately correct, and may well be too high. It is of interest to compare it with the figures for England and Wales, quoted from the most recent Census Report.

ENGLAND AND WALES: BIRTHS PER THOUSAND WOMEN AGED 15-45				
Year.	1870-2	1880-2	1890-2	1900-2
	153.7	147.7	129.7	114.8
				1930
				66.2

Thus the slave-women of Barbados, in spite of their high crude birth-rate, were less prolific than Englishwomen were during the seventies and eighties of last century. In late Victorian times, "birth control" was not generally used, but the prudential checks on marriage were very strong. A large number of women between these ages were not married, and since the illegitimacy rate was 5.6 in 1870, and fell later, most of the unmarried contributed nothing to this rate. It is therefore reasonable to suppose that the slaves produced fewer children per mother than did Englishwomen during the eighties, although the crude birth-rate of Great Britain was lower, being 35.4, average 1870-80.

Modern West Indian birth-rates take the same form—a high crude birth-rate, representing a comparatively small number of children per mother. The causes are two: first, a high adult death-rate has kept the average age of the population very low; secondly, in peasant circles every healthy woman becomes a mother and that fairly young. Birth-rates fluctuate between 28 and 40 per thousand, and average about 35. Only Jamaica, St. Vincent, and St. Kitts have exceeded the rate of 40 for any single year, and these show a much lower average for the decade. These rates, like the high figures for St. Vincent and Dominica, quoted in the table of birth-rates above, owed something to the return of emigrant labourers from Cuba and other lands. When the sex-ratio is steady over a period of years, the number of children born per hundred Negro women is little affected, whether eighty, a

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hundred, or a hundred and twenty men companion them on their island. A dramatic return of their absent men-folk, however, raises the birth-rate for the year. This occurred in Britain at the close of the Great War, and in the West Indies at the close of the sugar-boom, which had induced so many Negro men to go abroad.

In the over-populated island of Puerto Rico, with a majority of Spanish whites and few Negroes of pure blood, the birth-rate is 40 per thousand. A few years ago it stood as high as 56 per thousand, a rate which has not been equalled in any Negro island. These Europeans, therefore, living under similar conditions, are more prolific than Negroes.

In Jamaica, a country which has just gone through a prolonged period of prosperity and expansion of population, the birth-rate for 1921 was 34·9 per thousand. Using this rate on the figures for the Census of 1921, we have 135·9 births per thousand women aged 15-45. As the rate for that year happened to be low, the average rate for the ten years 1921-30 is used in the following table. Comparing the number of children under 15 with the number of women over 15, we have 1·17 children per woman, or 1·54 children per woman aged 15-45.

	Average Birth-rate.	Births per 1,000 Women (15-45).	Children under 15 per Woman aged 15-45.
Jamaica (Census 1921) . . .	36·21	145·9	1·54
Br. Guiana (Census 1921):			
Blacks . . . . .	28·87	120·7	1·12
Mixed blood . . . . .	35·23	133·8	1·31
Slaves in Barbados, 1817 . . .	37·7	135	1·85

In all the slave islands, the eighteenth century saw the growth of a "free coloured" class, consisting of slaves, chiefly of mixed blood, who had acquired their free status by manumission.

Even among the whites, marriage was far from universal, for they, like the blacks, were short of women, at least of women of their own race. Many planters lived in districts



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where civilized women were almost unknown; while the lower class of Europeans, book-keepers, craftsmen, and apprentices, miserably paid, had no hope whatever of getting a white wife. These men mated with the black women. Their children were coloured, and were slaves, if the mother was a slave, to the master who owned the mother. A slave-girl, or a free coloured woman, would reside in a white man's house, nominally as a servant or "housekeeper," really as a quasi-wife; and though not treated by the man as an equal, she would assume the position of mistress of the house. In estate accounts sometimes occurs the entry of money received for the hire of a mulatto girl living as housekeeper to some white man in the district. Sometimes the man would buy his slave-sweetheart outright, so that later he could set her free, making a payment, rather in the African manner, for the loss of services she had formerly rendered to her tribe. The women were glad to form such a connexion, for they got better terms than they could hope for from their own men-folk, with the advantage of belonging to a richer house. It was the aim of every mulatto girl to become housekeeper to a white man.

These unions, though not legal, were fairly permanent, and often approached very closely to marriage. A planter would free his coloured daughter and give her in quasi-marriage to a neighbour, exacting from the man a settlement to be paid if the couple parted. White men avoided legal marriage with coloured women simply out of racial pride. A woman, in those days, found many advantages in an irregular union, whenever public morality did not punish her for it. The position of a married woman was never worse than it was during the early part of the nineteenth century. In the year 1830 a married woman was more truly a slave than her own black servant. The mulatto woman who, being free, contracted an irregular union, escaped both servitudes. Legacies from her father, and gifts from her man, became her own property, and thus coloured women often built up substantial

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little fortunes, which they bequeathed to their children. A father often left part, at least, of his property to his irregular family; and in cases of escheat (which, where most people were born out of wedlock, was a common occurrence), the Crown conceded them a limited right of inheritance.

By 1800 there existed a large class of free blacks and free coloured persons, many of whom owned property—a bit of land, a few slaves, sometimes even a large estate. These also had children by their slaves, or raised a slave-woman to the position of “common law wife.”

It was held to be the duty of a free father to manumit his slave-born children, if he could afford it, and to endow them with a trifle of property. Freedom without possessions was a doubtful benefit, as the freedman lost his slave-rights without certainty of re-employment; so laws were passed compelling a master on freeing his slave to make some provision for him. In Mauritius, £40, or some land or slaves, were given to the freedman as “dotation”; other islands were content with a bond. The earlier Jamaican law demanded a deposit of £100 with the parochial authorities; later it was decreed that, when a slave was freed, some person must deposit a bond that, should the slave ever become destitute, the depositor would pay the slave £10 a year. This bond, with a small registration fee, was, during the years 1808–34, the only hindrance to manumissions in Jamaica.

Though the greater part of the mixed-breed population of Jamaica was freed by this date, a certain number of mulattos, and even lighter shades, remained in slavery. A slave could only be freed by consent of his owner, or by enactment of the local legislature (whose reluctant consent formed the legal basis of abolition), or by removal to a country, such as Britain, which did not acknowledge slavery. The legislatures interfered with the owner's claim very little: in Trinidad, the ex-Spanish colony, a slave might buy himself out; in other places, magistrates had a power, rarely used, to free an ill-treated slave. In Mauritius, by an enactment late and

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enlightened, a slave marrying a free person with the owner's consent became free, and, if a woman, took with her into freedom all children already born of that union. This is an interesting reversal of the old French law, and remarkable because, in distinguishing between children born to that man and those born to another, it distinctly recognized paternity. It was, however, the work of reformers. Normally, freeing a woman did not affect the status of her children already born, unless they were included in the deed by name.

The father of the children was not always the owner of the slave-mother; then, if he wished to free her slave-offspring, he must buy them out. This was not always easy. After the cessation of the slave trade, the price of slaves rose sharply. £120 to £240 would be paid for an adult male Negro, while women and boys fetched £60, £80, or £100 apiece. These sums represented a year's salary to the poorer white workmen on the estate. The majority of families set free were freed for nothing: that is, by the owner himself. In Trinidad the pretty phrase appears on the lists: "Consideration: Love and Affection."

When a price was charged, the fee was high. In the Jamaica lists a Negro woman and her five children—mulattos of various surnames—were freed for £1,000. £840 was paid for Rachel Johnson, quadroon female, and her six children, all surnamed Leslie. Another Negro female with six children were freed for the nominal sum of £50; but Sally Freeman, "coloured," with her six children surnamed Stewart, cost £1,040. Some of these prices may have been extortionate, a ransom rather than a just payment for services lost.

Oddly enough, in a country where paternity was tacitly ignored, children bore the surname of their reputed father. This custom, still fairly usual in the West Indies, is explained by the fact that surnames were an importation from Europe, where the local tradition is patriarchal. Rarely is a slave on the Jamaican list noted as a father. The names "Henry and his daughter," "Charles and his son," form almost the only

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exceptions, among many thousand names. Among the whites paternal feeling was strong, even for half-caste children. Bequests made in wills of the slave period reveal the struggle of the poorer free fathers to do right by their children: for example, "I request my executors to free my reputed children, now slaves on Mesopotamia Estate, if it is in any way possible." Again, "That my three negroes, Sam, John, and Cyrus, be worked out until their earnings produce, together with other parts of my estate, a fund sufficient for the freeing of my reputed children, at present slaves upon Grange Estate."

Some slaves genuinely had no value. In the *House of Commons Papers* for May 1, 1828, appears the Report, or lamentation, of that harassed official, the Casual Receiver of Antigua, in charge of escheated slaves. Some Negroes, character good, will easily find a new owner—that is, practically, re-employment—but he is at a loss what to do with the others. "Their characters are very bad," he writes, "and they are perpetually committing some crime. . . . Two idle old men, a woman and her three sons, the eldest a very depraved young man, and the others children." A family of mulattos, once slaves to an old lady, were the children of a white fisherman, who had received permission to purchase them if he would manumit. The father took the boy to bring him up a fisherman, but declined the girls, Margaret and Clementina, on account of their character. The girls were cocottes. "What these women are fit for, I am at a loss to say," laments the Casual Receiver, who was left responsible for them, ". . . I do not think them fitted for domestic servants or any other service, they cannot be managed without severity and in consequence they do only what they please and go where they like and except when taken before a magistrate for some misconduct, I rarely hear of them." Such slaves had a minus value.

In the *House of Commons Papers* for the year 1823, Vol. XVIII, among the "Papers relative to the Slave Population

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of the Colonies," appears a Return of all Manumissions in Jamaica made between 1808 and 1823. The name, sex, and race of the freed slaves are given, and also the consideration paid for their release. About two-thirds of the slaves set free were females. Many of these were mothers of families, released with their children, and in the majority of such recorded groups the offspring were of lighter shade than their mother.

By the name of each freed slave stood a note of his colour. Mixture of race was still so recent that it was possible to divide them into classes, in place of the present-day gradations of indistinguishable brown. Some few were simply recorded as "coloured," and once, in despair of classification, the writer puts, "Negro woman: mongrel child." The following classes are used: Negro or Black; Sambo (born of a Mulatto and a Black); Mulatto (a large class, strictly the offspring of a Negro and a White, but by custom including persons of mixed ancestry, impossible to classify); Quadroon (born of a Mulatto and a White); and Octoroon or Mustee (product of a Quadroon and a White, having seven-eighths of European blood). The child of an Octoroon by a White was called a Mustifino, and was White by law. Very few octoroons remained in slavery. Those who appear on the list, where they form about 1 per cent. of the total manumissions, seem to be chiefly children, released with their mothers.

About two-thirds of the persons set free were females, the excess of women being greatest in the darkest class. A Negro male was so useful on the estate that he was not lightly let go, while many persons had the very strongest of reasons for manumitting the females. In the Octoroon group the sex-proportions are roughly equal, showing that the persons freed were manumitted by their father or other blood-relation, who had the same reason for helping the boys as for aiding the girls.

From the list have been recorded 747 slave families, con-



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taining 1,540 children. 52 per cent. of the mothers are listed as Negroes, 35 per cent. as Mulattos, just under 7 per cent. as Sambos, and 6 per cent. as Quadroons. It is regrettable, for statistical purposes, that the number of Sambos (50), and of Quadroons (46), should be so small. Only three mothers were Octoroons, and had four children between them.

To this is added for comparison a return of Amerindian families, from the *House of Commons Papers* for 1823.<sup>1</sup> (This, like the Jamaica list of manumissions, is to be found in the Bodleian, and also among the records of the old House of Assembly, Jamaica.) These were "Indians" and descendants of Indians held in slavery, but claiming to be free on the ground of their descent in the female line from native tribes that had never been legally enslaved. The lists include a return of Indians registered in the records of the Mosquito Shore, and divers other names. One family is traced through five generations to prove descent from Isabella, a free Indian, the sons and daughters of each generation being given by name, though the pedigree is carried on only through the females. Paternity did not count. These Indians are supposed to have received an infusion of Negro blood, through a cargo of slaves that were wrecked upon their coasts. One of them, at least, is referred to as a Sambo from Jamaica. Eighteen mothers, with 60 children, though too few to form conclusive evidence, bear out the observation of other workers that the Negro-Amerindian cross has a high fertility.

These families give the following results:

	Colour of Mother.				
	Negro.	Sambo.	Mulatto.	Quadroon.	Indian.
Average Number of Children .	2.02	2.12	2.13	1.98	3.33

It is usual to refer to the Negroes as a prolific race, but there is no sign of this in the families under review. These figures are a little higher than those obtained from the censuses,

<sup>1</sup> Vide *H. of C. Pp.*, 16/6/1823, also 10/7/1828, "Treatment of Slaves in British Honduras."

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quoted previously, by comparing the number of children under 15 with the number of women aged 15-45. This latter figure can at best only prove a rough method of estimating the probable size of families, and includes many women who have not yet become mothers. It seems probable, though, that although the crude birth-rate of slave days was often lower than that of to-day, the number of births per woman of child-bearing age was at least as high as at present, especially among house-slaves. (*Vide* figures previously quoted for Barbados and St. Vincent.)

If this manumission list takes no count of childless unions, it also gives no record of children born who had since died. Contemporary writers estimate that a large proportion of slave-children (one-quarter to one-third) died during infancy, an infantile death-rate then surpassed by many European cities. Even if the whole of this one-third be added on, leaving the families with no infant death-rate at all, the numbers are still small. Malthus, writing a few years earlier, found much higher figures for Europe and for Britain, at least in agricultural districts.

These families are not necessarily complete, though perhaps they have advanced farther towards completion than those obtained by assigning into average families all persons aged less than 15 in a given population. Nor are the "children" necessarily under 15; some few had children of their own, named on the list, though perhaps the girl-mother might be no older than a fifth-former at a high school. As no record of age was given, it might be useful to compare a list of manumissions in Mauritius, which gives the age and family, but not the colour, of the freedwoman.<sup>1</sup> Fifty-one of these persons were mothers, released with their children, numbering 132. Thus the women had 2.59 children each on the average, and the average age of the mothers was 30.5 years. The greatest age among the mothers was 50, the youngest 18, and 11 mothers, or nearly 22 per cent., were over

<sup>1</sup> *H. of C. Pp.*, 1828, Vol. XXV, Bodleian.

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40. Of 132 children 21 were listed as 15 years old and upward, of whom 8 were over 20. Twenty-three mothers (45 per cent.) had borne their eldest recorded child less than ten years previously, these being chiefly mothers of one and of two children. A few ages are missing, while others are obvious approximations, in round figures.

MAURITIUS

	Mothers having families of								Total.
	1	2	3	4	5	6	7	8 Children.	
No. of Mothers . . . .	16	17	6	4	3	3	1	1	51
Average Age of Mothers	28·8	27·9	33·3	34	29	42·5	35	45 years	30·5

Obviously, these are not all completed families, but the mothers are much above the average age one would expect to find for women over 15 in a slave population. These families, then, though only some 22 per cent. of them were actually completed, were nearer completion than the "average families" one would expect to find in a slave population at a given moment. In the absence of evidence about ages of Jamaica freedwomen, we may presume a somewhat similar distribution.

Since freedom was a reward for services rendered, there might perhaps have been a habit of manumitting the woman after the birth of her first child, increasing the number of only children on the list. If so, one would expect the average size of the family to rise sharply, when the abnormal number of one-child families had been eliminated. Very brief unions would also swell the number of one-child families, but families of three children and upwards would indicate a connexion so prolonged as to count as a quasi-marriage. Here are figures giving the average number of children per mother for families of two children and over, and also for families of three children or more.

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## JAMAICA

Average Number of Children.	Colour of Mother.				
	Negro.	Sambo.	Mulatto.	Quadroon.	Indian.
Excluding Singletons .	3.02	3.33	3	2.88	3.6
Excluding One-child and Two-child Families .	3.86	4.66	4.11	3.91	4.36

These figures give no sign of large families. Of the 747 mothers, only 2 (both Mulattos) had families of eight, and 9 persons (3 Negroes, 2 sambos and 4 Mulattos) had families of seven. Fifteen, including one Quadroon, had families of six.

It might be held that the cost of buying out a large family militated against the manumission of the larger groups. Many of these slaves were released without payment, that is, by free consent of the owner, who was presumably the father, or other close blood-relation with a strong emotional interest in mother and child. Such a man would as soon release a large family as a small one; he would not wish to hold them in slavery. A father does not exploit his son's labour (not even an illegitimate coloured son), and he values his estate chiefly for the sake of his children. It was held shameful to keep one's children in slavery, if freedom could possibly be had. "Love and affection" was a consideration more potent than any price. It may be remarked in passing, that a discontented family of Mulattos would have had little value as slaves. If a man knew he was the master's son, it would be useless to expect him to dig cane-holes, while the coloured girls were notoriously unmanageable.

Five hundred and twenty-five mothers, with 1,105 children, were released without price.

The results shown on page 54 do not differ materially from those of the previous table. Both Negro and Quadroon, in fact, show certain slightly larger figures for the "priced" than for the "unpriced" families, but the numbers studied are such as to leave room for an element of chance.

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## JAMAICA: UNPRICED MANUMISSIONS

Average Number of Children.	Colour of Mother.			
	Negro.	Sambo.	Mulatto.	Quadroon.
Total . . . . .	2.06	2.15	2.23	1.79
Excluding Singletons . . . . .	2.99	3.3	3.05	2.58
Excluding One-child and Two-child Families . . . . .	3.84	4.6	4.12	3.75

The women of mixed blood, Sambo and Mulatto, have slightly larger families than the Negroes. This confirms the results of Davenport and other workers, who find that cross-breeding does not reduce fertility. The Sambo class have a strong tendency towards large families, and there is a slight falling-off, perhaps due to chance, in the Quadroon group. The "Indians" show definitely larger figures, and these results, though the numbers studied are too small to be evidential alone, confirm the result given by the records of British Guiana, where the "mixed" race (made up of many races) has a birth-rate persistently higher than the Negro rate.

Comparing the figures for women of mixed blood with the Negroes, we get the following tables:

## JAMAICA : MANUMISSIONS

	Total.	Negro.	Sambo.	Mulatto.	Quadroon.	Octoroon.	Total Coloured.
Number of Mothers . . . . .	747	386	50	262	46	3	361
Number of Children . . . . .	1,540	781	106	558	91	4	759

Average Number of Children.	Negro Mother.	Coloured Mother.
Total . . . . .	2.06	2.1
Excluding Singletons . . . . .	3.02	3.02
Excluding One-child and Two-child Families . . . . .	3.86	4.2



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The percentage of mothers having families of each size is given in the following table:

Race.	Percentage of Mothers having Families of							
	1	2	3	4	5	6	7	8 Children.
Negro . . . .	49.2	23	13.7	7.8	3.4	2.1	.8	—
Sambo . . . .	52	24	8	2	8	2	4	—
Mulatto . . . .	43.5	29.9	11.4	8	3.05	1.9	1.5	.75
Quadroon . . . .	47.9	28.2	10.9	6.5	4.3	2.2	—	—
Total, All Women . . . .	47.4	25.9	12.4	7.2	3.6	2	1.2	.3
Total, Unpriced . . . .	45.1	26.9	13.7	6.9	3.8	2.1	1.3	.2

Only under slavery can human beings live in a completely irresponsible manner. This is, then, a study of families of Negro race and of mixed blood, living, as far as any human creature can do, in a position that left them absolved from all social or economic checks to their increase of numbers. In result, the average number of children is small, both among the half-breed and among the blacks, thus confirming the evidence of the modern West Indian census work, that, even when the Negro has a high crude birth-rate, the number of children per mother is comparatively low. There is little tendency towards large families.

The state of society revealed shows an interesting struggle between the "male" and "female" types of family structure. In the male type, children pass under the name and guardianship of their father, inherit his goods, and derive their position in the State from him. In the female family the children inherit their status and property from the mother, and descent is traced only through females—paternity, even when known, being ignored. Slavery is, by tradition, closely bound up with the female family structure, which also seems to blend with an instinctive, wordless, unexpressed family feeling among the Negroes. Europeans, on the other hand, have been taught to emphasize the rights and duties of a father. In the West Indies the two family types struggle together until this day.

# PROPERTY AND THE COURTS OF JUSTICE

*By* EDWARD JENKS

**I**T is not necessary to be a Marxist to realize the importance of economic conditions in the study of sociology, nor a Communist to believe that the extent and distribution of property in a society will greatly affect that society's welfare and the form of its organization. The subject of Property—its origin or origins, its history, the safeguards invented for its protection, its general influence, and its justification—is, of course, far too vast to be considered as a whole in a short article. Some day, it is to be hoped, a well-equipped student, with the necessary patience and ability, will produce a classic on the subject. Meanwhile, humbler persons can contribute their mites towards such a work, by special studies of particular aspects of it.

In this article, I try to present two examples of the effect of the action (or inaction) of English Courts of Justice on the distribution of the benefits which can be derived from proprietary interests in "land," which, according to the English legal view, comprises, not merely the surface of the soil, but, to an undefined (and, therefore, unlimited) extent, the sub-soil, and even, to an equally undefined but important extent, the "super-incumbent column of air." This conception, it will be seen, thus includes, virtually, the whole of the ultimate material resources of the community, which, again, means, that any industrial worker who endeavours to create material wealth by the exercise of his energies, must, directly or indirectly, make terms with the proprietor of some interest in land. It will be found, I think, that a study of this kind has some value for the psychologist and the historian, as well as for the economist and the sociologist.

Perhaps, however, before proceeding directly to our ex-

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amples, it might be well if, for the convenience of non-legal readers, a few words were said about the conditions under which English Courts of Justice work, and the powers which they exercise.

Broadly speaking, the English Courts can only act *judicially*, i.e. they can only function as the deciders of disputes which have actually arisen between private persons (individual or corporate), or between the State and one or more of its subjects. They have no direct legislative power (except in making rules for the use of judicial machinery); they cannot anticipate the course of events by declaring that, in certain circumstances, they will act in a certain way.<sup>1</sup> They scrupulously avoid laying down general principles which might, in effect, be held to be binding rules of law. Except, to a very minor extent, as an aid to interpretation, they have nothing to do with questions of policy. These are matters for legislative bodies, supreme or subordinate, above all for the Parliament at Westminster; and their enactments must be, and are, loyally enforced by the Courts, whatever the private opinions of the judges who preside in them may be.

But, as most educated people are aware, English legislation, whether by Parliament, the Crown in Council, Ministerial Departments, or local councils, does not cover half the cases which come before the Courts. A makes a contract with B involving ordinary business interests. He alleges that B does not fulfil his share of the bargain; and he sues him for damages. No statute or legislative act says he may do so; but any objection to the proceedings on that ground would raise Homeric laughter in Court. In a recent notorious libel action, which lasted several days, and went to the Court of Appeal, apparently only one statute was even mentioned; and it was declared irrelevant. Of course, there are statutes affecting the law of contracts and libel.<sup>2</sup> But (and this is the

<sup>1</sup> A recent defiance of this rule by an individual judge will certainly not be deemed by his colleagues to be binding on them.

<sup>2</sup> E.g. the Statute of Frauds (Contracts); Fox's Libel Act.

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important point) they all assume the existence of a body of non-statutory law which, no doubt, requires amendment in detail, but which is assumed to be otherwise effective.

What is this body of law, this robe of justice on which Parliamentary statutes are, as it were, mere patches? It goes by the name of the Common Law, the "universal custom of the realm." Where is it to be found? For the most part, in the reported judgments of the superior Courts, given in public and containing the reasons which have led the individual judge (sometimes speaking for the composite Court which has heard the case) to his conclusion. Primarily, these judgments decide only the fates of the litigants before the Court in the cases in which they were delivered. But, by a long-established practice which has the full force of law, they act as guides to the Courts in later and analogous cases; being legally binding on English tribunals of equal and inferior rank, and always regarded with respect even by higher Courts. This is the principle of Judicial Precedent, which has governed the conduct of the Courts in England for at least five centuries, and which nothing short of a revolutionary Act of Parliament could abolish. Of the arguments by which it is defended, the means used to give effect to it, or the circumstances which produced it, it is impossible to write here. But, for the purposes of this article, it must always be borne in mind.

It must also be remembered that, by the theory of English Law, no possible case is unprovided for, or unforeseen. If there is no statute which, even by the most ingenious straining, can be held to cover it, and no reported decision which remotely affects it, still the case cannot be summarily dismissed as being unprovided for. In a well-known case, decided about fifty years ago, Farmer A sued Farmer B, his neighbour, for harbouring thistles on his (B's) land, which thistles, naturally, seeded and carried devastation on to A's land. The Court could find no precedent, and gave judgment for the defendant. It did not refuse to hear the case.

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It said, in effect: By the Common Law, B's negligence is not a "tort" or legal offence. It might easily (and this is important) have decided the other way.

Leaving for the present the interesting question: from what sources the Courts derive their knowledge of the Common Law when precedents are silent, we may proceed to discuss the two examples of legal influence on the Law of Property with which this article proposes to deal specifically.

The first is expressed in the legal maxim: *cujus est solum, ejus est usque ad centrum et ad cælum*. In other words, it is an immemorial rule of the English Common Law, that the "freehold" proprietor of the surface of land is presumed to be the owner also of the subsoil, and all contained in it, to an unlimited extent, and of the air (or, at least, the air space) above it, at any rate so far as effective control can reach. The significance of the word "freehold" in the above statement will be best discussed in dealing with our second example. But, subject to this reservation, the immemorial rule of the Common Law means, in practice, that the owner, or even the occupier, of the surface of land, is presumed, unless the contrary is proved, to be the owner or occupier of all the minerals (with the exception of the Crown's claim to "precious" metals—gold and silver) which may lie beneath it—coal, iron, tin, lead, china clay, etc.—even though he be totally unaware of their existence. Any "prospector" who may discover them, and proceed to work them to the smallest extent, may be sued by him for trespass; unless he has agreed with the surface-owner to pay royalties arbitrarily fixed by the latter. It is immaterial that, in seeking to discover such minerals, the prospector has not in any way disturbed the surface of the land under which they lie. The rule is of unknown antiquity; and research has failed to discover any case in which the exact point was decided. But it has been assumed as axiomatic ever since the great *Case of Mines* in 1568, when it was taken for granted by the Court and all



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parties; and it has been acted on for centuries, both in business circles and the Courts, as unquestioned law.

Again, though here, until recently, the matter was of small importance compared with the vast interests concerned in mining, it has for centuries been the accepted rule of the Common Law, that a man who projects a building or other material object over his neighbour's boundary, though without doing him material damage, can certainly be sued for Nuisance, if not actually for trespass. He has infringed his neighbour's rights in the "super-incumbent column of air."

It so happens, that the truth of these two propositions can be illustrated by recent events within general knowledge. When it was suggested, a year or two ago, that petroleum (including mineral oil) might be discovered in England, and an important and possibly vital industry established, it was necessary to pass an Act of Parliament (the Petroleum (Production) Act, 1934) to vest the property in all such material in His Majesty, in order to enable the Board of Trade, on behalf of His Majesty, to grant licences to prospectors to search for it. In three cases, licences to search had already been granted by surface-owners; but, for the most part, no landowner had any idea whether or not petroleum existed under the surface of his land. A surface-owner could, however, absolutely forbid anyone to prospect for it.

The other event occurred just after the War, when aviation was, obviously, about to become one of the great industries of the age. But to fly over land in private ownership might have rendered the aviator liable to actions for Trespass or Nuisance. Therefore it was necessary, if aviation were to develop at all, that an Act of Parliament (the Air Navigation Act, 1920) should be passed, to the effect that flying over private land at a reasonable height, without inflicting any appreciable damage to land, buildings, or persons below, should cease to be an actionable wrong.

It is not difficult to imagine what an earlier application of the principles of these two recent statutes to the *cujus est solum*

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rule might have done in the way of social betterment. Application of them, for example to coal and iron, might, not at all impossibly, have furnished the State with an income which would have rendered taxation an almost unnecessary function. Incidentally, it might have mitigated some of the worst horrors of the Industrial Revolution, and enabled a reasonable and economical scheme of coal-production and working to have been applied to the whole country. Perhaps the only arguments of real weight which could have been justly urged against it would have been, that it would have rendered the Crown too powerful, too independent of a Parliament which found, in its control of taxation, a powerful weapon against the tyranny of the Executive, and given it too much control over the development of industry.

Our second illustration of the influence of the Courts in the development of the Law of Property is the division of the profits of landownership between the various classes of persons most interested in it.

These classes, for centuries three in number, but quite recently reduced to two, are known to lawyers as "freeholders," "copyholders," and "leaseholders" (or "tenants for years") respectively.

The oldest of these classes was, unquestionably, the "copyholder." He represented, in the main, the member of the vill or township, the primeval agricultural settlement of the invaders who colonized England east of the Severn during the six centuries prior to the Norman Conquest. The origin of these settlements is obscure; but, when the light of history dawns upon them, they are found to be strikingly similar in general character, though differing infinitely in detail. Their occupants had no written title deeds; their rights and duties depended on custom, believed to be immemorial, probably changing slowly from generation to generation. Their wants were few; their methods and instruments of husbandry primitive. They had cleared from the forest which, so late, at least, as the sixth century, covered the greater part of

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England, a block of arable land, and divided it among themselves on an intricate system which may have been due to a desire to apportion equitably good, bad, and indifferent soil, but, quite as probably, to a successive intake of sections slowly won from the forest, with a new distribution for each section. This arable block (*terra*) was divided into two or, in its later stages, three unenclosed "fields" (*campi*), of which one was left fallow and the other or others devoted to a rotation of crops. Beyond this arable block was a certain area of cleared pasture for the oxen which "gained" the arable—i.e. ploughed it, and the sheep which manured it and whose wool was necessary to clothe the villagers. Like the arable, the pasture was unenclosed, except, temporarily, during hay-growth; but, unlike it, it was not physically divided into strips or shares, but fed the cattle and sheep of the township according to a "stint," i.e. a quota roughly corresponding with the shares of the villagers in the arable. Beyond this, again, was the "waste," the rough and inferior land, probably covered with trees and scrub. On the waste, the villagers turned out their inferior or "non-commonable" beasts—swine, geese, asses; from it they cut the turves and faggots which they used for fuel, and the chalk or gravel with which they marled the arable and pasture; and there, probably, they hunted conies and other wild animals for the pot. There would be, in slightly later times, a water-, and, later still, a wind-mill, a pound or enclosure for the herding of stray animals caught violating the rules of user, later, as Christianity spread, a church, possibly a little weir built to facilitate the turning of the mill and, probably, to encourage the breeding of fish. All these were, in a sense, communal; and, to prevent unsocial uses, there would be officials like the pindar or pound-keeper, the beadle or messenger, and the watchmen. These officials were, probably, chosen by rotation or lot. Whether there was a regular "moot" or gathering for the discussion of common affairs of the township, is a disputed question. If so, it was a very primitive affair; in particular, the "majority vote" was unknown, and ques-

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tions were, probably, settled, either by a free fight, or by a reference to the older men who knew the custom, and pronounced "dooms" accordingly.

For custom was the great arbiter of men and things in the township. It settled the days for sowing, ploughing, and reaping, the lie and length of the furrow, the sharing out of the oxen among the ploughs, the "stint" of the cattle and sheep in the pasture, the periodical re-allotment of the strips in the arable (a practice which survived freely until the enclosures of the sixteenth century). There is no evidence of a more intense "communism"; but the individual villager certainly could not "do as he would with his own," at least so far as the land was concerned. He had to follow the custom.

Before passing to the second of the three historic classes of sharers in the wealth of the soil of England, we may, perhaps, note, in passing, that (with the possible exception of the villager living near the Forest of Dean, where there are said to be coal-mines worked in Roman times), no villager of the pre-Conquest period would have dreamed of the possibilities of coal, iron, or (save in Cornwall, perhaps) even tin beneath the land which he tilled, still less of the prospects of aviation. All he knew about his land was that, if properly looked after, it yielded sufficient oats, vetches, beans, and grass to feed and clothe him and his household during the year, with luck. Perhaps most important of all, the villager had no "land hunger"; for there was land to spare for the taking. The only trouble was to get the labour wherewith to work it. The villager would regard his strips in the arable and his rights in pasture and waste as "his," and would have resented any attempt to disturb him in his uses of them. But of "ownership" as an abstract conception, he would have no idea, still less of such a problem as "unearned increment." It is possible that, even before the Norman Conquest, some form of limited transfer of land rights was recognized; and there are even signs of emergence of a "capitalist" class of

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landowners on a small scale, known as "thegns" or "land-ricas," who were specially favoured by the later Kings of the Wessex House in their struggles against the Danish invaders. Professor Chadwick is, for example, inclined to think that individualism of this kind was more widely developed before the Conquest than is generally supposed.<sup>1</sup> This tendency is, in effect, the link between pre-Conquest and post-Conquest England.

For our second class of participants in the profits of land is the "freeholder"; and he is, obviously, to an overwhelming degree, the product of the Conquest. As Domesday Book clearly shows, the vast majority of the population of England at the end of the eleventh century were *villani* or "villeins," a name which, however unattractive to modern ears, originally meant simply "villagers," i.e. peasant farmers, or, as the native Englishman would have called them, "churls" (*ceorls*). It was the Conqueror's scheme of parcelling out England among his followers into fiefs which drew the later line of distinction between "free" and "servile" tenures, so familiar to the student of legal history. The "free" tenant was the Conqueror's man, foreign or (more rarely) native, whom he had placed in control of a district or fief, of greater or smaller extent, and over the native English in it, to keep an eye on native risings, to maintain men-at-arms to serve in the feudal array, and to collect the Danegelt which the new king made perpetual. These were the first "freeholders," who held by "knight-service" of the King, whose liabilities were fixed by feudal custom or by charter, who had right of access to the King's new and central Courts of Justice. Gradually there was added to them a body of "socagers" (probably the pre-Conquest thegns who loyally accepted the new *régime*, but their origin is still a mystery), who enjoyed many of the privileges of the "knight-service" tenants, especially the valuable privilege of the power to resort to the

<sup>1</sup> With great deference, it may be suggested that legal documents of the Early Middle Ages are apt to be very misleading. (See Brunner, *Zur Rechtsgeschichte der römischen und germanischen Unkunde*, *passim*.)



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King's Courts for the protection of their rights. They thus passed into the magic circle of "freeholders," and, ultimately, on the extinction of "knight-service" tenure in the Civil War of the seventeenth century, they monopolized the position, save for the ever-dwindling privileges of the religious houses who held in "frankalmoign."

On the other hand, the "customary tenants," i.e. the villagers (the vast majority of the population) who failed to attain these privileges, undoubtedly suffered a severe set-back in legal rank. Though at first not officially classed as "serfs," they were excluded from the valuable privilege of access to the King's Courts; for they were the "justiciables" of their lords, the new "knight-service" class, on whose "manors" they found themselves, who built new castles or halls to which the affairs of the villagers were transferred from the ancient moot-stows, who, probably, took in big slices of the "waste" for their private "demesnes," and who, almost perforce, owing to the scarcity of coined money, accepted the villagers' shares of the Danegelt for which they (the freeholders) were responsible to the King, in the form of labour dues and services. Thus the relation of lord and villager began to resemble, on a small scale, the relation between King and baron or knight, and was officially classed as a "tenure at the will of the lord according to the custom of the manor."

This classical phrase exactly, if somewhat illogically, expresses the dual position of the post-Conquest peasant in England. Against his lord he had, technically, no rights; for he was his lord's "justiciable," and any attempt to use force, even legal force, against his lord would have been a breach of loyalty resulting in a forfeiture of his holding.<sup>1</sup> On the other hand, the average villager was no chattel slave, for Christianity had abolished the slavery of Pagan England; nor was he one of the "masterless men" who hung about the

<sup>1</sup> Fortunately, in England (it was different on the Continent) the new criminal law of the Angevin rulers protected even the "serfs." After it was set up, it was only in civil affairs that the villager was judged in his lord's court.

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outskirts of many villages, encamped on the waste, but a man who was entitled and bound to cling to his holding, and to cultivate it "according to the custom," and to pass it on at his death to his heir "according to the custom."

Thus there grew up in post-Conquest England two rival classes of participants in the soil: the "free" and the "un-free." The latter acquired his later title of "copyholder" from the manorial roll<sup>1</sup> kept by the lord's steward, on which were entered particulars of the holding of each villager, as well as, frequently, the "custumal" or general statement of the village custom. From these rolls copies of extracts were obtainable, as proof of their titles to their land by the villagers, who thus acquired the name of "copyholders," or tenants *per copie*. This was, in fact, an early and effective system of land registration.

But, given "progressive" conditions—i.e. increase of population and intelligence, with a consequent increased demand for the means of production, there is bound, ultimately, to be a contest between the rival shareholders in such means, as to the "unearned increment," i.e. the increased value arising from "the pressure of population on the means of subsistence" and the demands of industry. And there was abundant "progress" in England in the twelfth and succeeding centuries. There was, for one thing, quite a passion among the manorial lords for new and improved methods of agriculture, as surviving treatises of that period show. These new methods were in hopeless contrast with the primitive methods of the village, with its "intermixed plots" and its customary (and, therefore, old-fashioned) course of husbandry. What to do? Obviously, to start afresh on untilled land, where the new "capitalist" methods could have full play. But where to find such land? The answer stared the would-be improver in the face: of course, the (village) waste, near at hand for labour and oversight, used only for what

<sup>1</sup> These manorial rolls are said to have become universal after the great Quo Warranto enquiry of 1278, in the struggle between Edward I and his great vassals. But many are older.

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would appear to the "capitalist" extravagant and unimportant purposes.

But the movement inevitably awakened the jealousy and suspicion of the less fortunate members of the community—not all of them copyholders; and two conspicuous landmarks indicate the course of the severe struggle which followed.

The first of these was the famous Statute of Merton of 1235, the oldest officially recognized Act of Parliament. The "great men" of England have enfeoffed their "knights and freeholders of small tenements in their great manors"; and complain that "they (the 'great men') cannot make their profit of the residue of their manors, as of wastes, woods, and pastures, though the same feoffees have sufficient pasture, *as much as belongs to their tenements.*" A similar complaint appears in the Statute of Westminster II of 1285, except that, in this case, the objectors to the proceedings of the manorial lords are those to whom the latter have expressly granted rights of pasturage. In each case, the statute lays down the rule that the objectors are to be content with "such pasture as will suffice for their tenements," i.e. that the "residue" of the "wastes, woods, and pastures" are to be at the disposal of the manorial lords. But the really striking feature of both statutes is that no mention at all is made of the "copyholder," who could not be an express "grantee" because of his social status, and who would yet, one would suppose, as representing the earliest settlers, be entitled, if anyone was, to the "unearned increment" in his holding.

As a matter of fact, it was taken as settled, from the time that the King's Courts began to entertain copyhold disputes at the end of the fifteenth century, that "the freehold (of the manor) is in the lord," and that the copyholder's rights are restricted to those which he has actually exercised from time immemorial. It was by virtue of this rule that the copyholder was forbidden to open mines or cut timber on his land, and to make "purprestures," i.e. encroachments, on the waste, without the consent of his lord, and that the hundreds

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of enclosures of village commons which took place (mostly under Parliamentary sanction) between 1750 and 1850, to say nothing of the earlier enclosures of arable in the sixteenth century, almost invariably proceeded on the assumption that the copyholders' rights had been fixed from time immemorial, while to the freeholder went the enormous increase in the value of the land for agricultural, mining, or building purposes, which had taken place since the Anglo-Norman settlement. Even when, by the legislation of the year 1922 (Law of Property Act), the copyholder was at last enfranchised as a class,<sup>1</sup> i.e. turned into a freeholder, the rights of the lord to the minerals and timber in his land were safeguarded, and the lord is also to be compensated by the former copyholder for loss of his other "manorial incidents." The precise number of copyholders remaining at the date of this Act is not, it is believed, yet exactly known; but it is officially believed to be very large.

The third class of participants in the profits of the soil, viz. the "leaseholder" or tenant for a term of years, has received equally hard treatment; though, in very recent times, there has been some mitigation of the hardship, notably by legislation in 1927—the Landlord and Tenant Act.

The tenant for years was the last to make his appearance on the scene. He is said to date from the time of the Fifth Crusade (1216), when many landowners, expecting to be absent from the country for some years, committed their estates to bailiffs or money-lenders, who undertook to pay them a fixed or "firm" <sup>2</sup> annual return, in place of an uncertain revenue from dues and services. At any rate, the practice established itself by the end of the thirteenth century. Naturally, these lessees or speculators required some fixity of tenure to be certain of making a profit;

<sup>1</sup> There had been numerous individual enfranchisements effected under earlier Acts of Parliament, and even by private arrangement. But the principle of division adopted by the Act of 1922 had been generally observed in them.

<sup>2</sup> The term is said to be the origin of our word "farmer," which was also applied to tax-gatherers who made similar arrangements.

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and they stipulated for a "term of years" for the arrangement.

The new arrangement obviously puzzled the Courts a good deal; in spite of the facts that an early Act of Parliament (the Statute of Marlborough, 1267) laid it down that "fermors" should not make "waste, sale, nor exile, of houses, woods, and men" (i.e. copyholders), and that the twelfth-century treatise attributed to Glanvil, and Bracton's great book in the thirteenth century, show that the practice of granting lands for terms of years was becoming common. Thus, the Courts declined to recognize the "term" as being an "estate" in the land; because that would have rendered the "termor" a vassal, or feudal tenant. It was not, in fact, till feudalism had ceased to be a real method of government (towards the end of the fifteenth century) that the tenant for years could, for instance, recover his land if he were unlawfully ejected. Before that, he could only get pecuniary compensation for disturbance.

But, by that time, the institution of the "Contract," or agreement enforceable by law, had slowly made its appearance in English Law, and was being hammered into shape by the Courts. As before stated, it has never been treated by Parliament in a systematic way<sup>1</sup>; its various features and consequences are the result of judicial decisions, and are still in process of shaping. It not unnaturally occurred to the Courts in the early days of leases that a tenancy for years, or leasehold, was, in fact, usually the result of an agreement between two parties with mutual obligations. And, as this is the most obvious feature of every contract, the decision to treat leases as contracts was attractive.

But a contract, as conceived by English jurists, has certain striking consequences. One is, that each party is strictly bound to do, or abstain from doing, what he has promised to do or abstain from doing, *and nothing else*. Another is,

<sup>1</sup> Lay readers who find this difficult to believe may be referred to any short account of the early history of contract in English Law, e.g. in my book *A Short History of English Law*, Chapter X ("Contract and Tort").



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that, *a fortiori*, he must not do anything, or neglect to do anything, which he has, expressly or by implication, promised not to do or to do. And, perhaps, more important than all, the Courts, ultimately convinced of the beneficence of the contract as an institution of social welfare (an attitude which culminated in the extreme individualism of the eighteenth century), resolutely set their faces against any limitation on what they termed the "freedom of contract" (i.e. the right of the parties to make their own terms), except, of course, where a contract manifestly aimed at illegal or "immoral" objects.<sup>1</sup>

The net result as regards leases was, that a lessee who had substantially improved the value of the land during his occupation, e.g. by superior farming or putting up buildings at a cost of many thousands of pounds, was entitled to no compensation at the end of his term, when he had to give up the land, unless he had expressly stipulated for it in his lease; and, with the land-hunger which accompanied the growth of population in the nineteenth century, this was, practically, never possible. If the lessee discovered minerals beneath the surface, any attempt on his part to work them (unless, of course, he had actually entered into a mining lease) was a breach of the law of "waste," and, at one time, might even have cost him his lease. He had to comply literally with the most severe and unnecessary repairing covenants, even though the failure to fulfil them did no harm to his landlord. He could not, on leaving, remove or destroy any "fixtures" (much less buildings) which he had annexed to the land, though these had enormously increased its value. It was with great difficulty that even the manufacturers, influential as they became after the first Reform Act, secured legislation entitling them to remove the costly machinery which they had themselves erected. In the case of farming leases,

<sup>1</sup> Naturally this leaves the Court with a wide margin of discretion. For instance, contracts stipulating for penalties, or "undue restraint of trade," are unenforceable, as "contrary to public policy." But many contracts which are clearly unconscientious are not.

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the lessee could not "change the course of husbandry." Somewhat curiously, a failure to pay rent did not, by the Common Law, entitle the landlord to eject his lessee; but, practically, every written lease contained a "proviso for re-entry" which did.

It was only by very slow degrees, and within comparatively recent times, that, first the Courts, and then Parliament, began to "relieve against forfeiture" where the failure to perform a covenant in a lease was accidental or temporary; and even then, only on severe terms, and where the failure could be redressed by expenditure of money. Then came the Agricultural Holdings Acts of the nineteenth and early twentieth centuries, which, undoubtedly, mitigated many of the farmer's hardships. The Rent Restriction Acts at present in force have done much to relieve tenants; but they are regarded as war-time measures, destined soon to come to an end. By far the most important recent legislation is that contained in the Landlord and Tenant Act of 1927, which, however, for the most part applies only to land used for trade or business purposes. By that Act, a lessee who observes due forms, and who, more than three years before the termination of his lease, makes improvements which add to the letting value of the premises, may obtain compensation on leaving from his landlord, unless the latter will consent to renew the lease. A similar claim may be made in respect of "goodwill" value attaching to the premises as a result of at least five years' carrying on of business thereon; and even, if the lessee can prove that such compensation would not really indemnify him for a forced removal, he can obtain an extension of his term at a judicial rent. It is noteworthy that, despite the magic of "freedom of contract," any attempt to "contract out" of these statutory provisions for relief will be treated as inoperative by the Courts. But, with all these mitigations, the lot of the tenant for years is one of peril and hardship compared with that of the "freeholder," and even with that of the copyholder, who had, at least, security in his

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holding, so long as he observed the custom. And yet, of course, in modern times, say the last hundred years, the numbers of the leaseholder class have been infinitely greater even than the very large numbers of the copyholders who disappeared in 1926.

It will, probably, not be contended that the results of the process sketched in this article are completely consistent with individual justice, or, which perhaps amounts to the same thing, with social prosperity. In fact, the principles involved are mutually contradictory. If it be granted that private ownership of land is permissible, then some attempt should be made to apportion its advantages equitably among different classes of landowners. Knowing, as we do, that the class to which all the great prizes have fallen—the ground rents of most urban areas and the royalties from wealth-producing coal districts—were, originally, much more officials than landowners, and that, at least according to modern ideas, it is hardly possible that, let us say, the County Court judge or the Collector of Income Tax should be able to convert himself into the proprietor of the land within his jurisdiction, we naturally seek some explanation of this historic phenomenon, which has, we know, been repeated on an even greater scale elsewhere.<sup>1</sup> What is the explanation?

One suggestion, of course, leaps to the eye, and, for that very reason, must not be accepted without proof. The two agencies by which the process of conversion from office to property was effected in England were the Law Courts of the Angevin and Plantagenet Kings, and, to a less extent, the early Parliaments. Both these institutions were, for the most part, composed of persons whose lives and fortunes depended on the *régime* set up by the Conquest—the Crown officials and the nobles and knights of the shire. It looks, at first sight, therefore, as though it were a simple case of

<sup>1</sup> E.g. in India and Eastern Europe, where the colossal wealth of the mediatized German and Magyar princes was (as Inama Sternegg has shown) obtained by converting national revenues into private property.

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"grab" by the beneficiaries of that *régime*, viz. the freeholder class.

Against this simple explanation we have, however, to set the ostensible fact that, in the main, the rulers of the two vital centuries after the Conquest professed to be carrying on the traditions of Old English Law (the "laws ye were worthy of in King Edward's day"), and the fact that modern research tends to show that, despite occasional bad lapses, this ideal was realized more fully than is generally believed.

There may be even more prosaic explanations of the process. In one of its most important effects, for example that which gave the proprietorship of the subsoil to the surface freeholder, it may be that, before the days of scientific mining, minerals were usually discovered from outcrops, and thus it seemed impossible to distinguish between surface and subsoil. But then, why restrict the beneficial discovery to the freeholder, when the actual discoverer may well have been a copyholder or leaseholder?

It is also generally assumed that the earlier generations of the royal judges (many of whom, if not most, were ecclesiastics), had at least a nodding acquaintance with Roman Law, then a favourite study in the newly founded universities of Europe. And it is also suggested, that, where they found no precedents to guide them, they fell back on that law for their inspiration, though it had no formal authority in the King's Courts. It seems to be doubtful whether the Roman Law of classical times would have favoured the rule adopted by the Common Law; but there are traces of a tendency to favour that rule in the "glosses" of medieval commentators.

It really looks, therefore, almost as though our old friend, the *Zeitgeist*, were at the bottom of the two rules which gave so much to the freeholder, and thereby did so much to settle the basis of the English economic system. In this case, we can hardly translate *Zeitgeist* by "public opinion," unless we restrict the word "public" to a numerically small, but

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overwhelmingly influential class of the community. In other words, the origin of the two rules is a matter of psychology. This article does not profess to deal with the mysteries of psychology, individual or social. But it may be permitted to suggest, that the accepted legal definition of the Common Law as "the universal custom of the realm" will be found to be material in considering them.



## THE INCEST TABOO AS A SOCIAL REGULATION

By BRENDA Z. SELIGMAN

FROM Professor Westermarck's article in this journal in January 1934, it would appear that we have made no progress during the last forty-five years in elucidating the problem of incest and exogamy. Though I would contest this view, there is some foundation for it. It may be that it is impossible to explain or to trace the origin of any human custom that is universal; perhaps the most we can do is to correlate it with certain other conditions. No sociological theory of incest can be proved or disproved. The incest laws and the family are so intimately associated that it is difficult to imagine the one without the other. It is, however, legitimate to examine the structure of the family, founded as it is on the incest prohibitions, and consider which of its features has given to the incest taboos the survival value that their universal existence shows them to possess.

In his latest volume<sup>1</sup> Westermarck reprints his article published in the *SOCIOLOGICAL REVIEW* with a considerable addition. He suggests, as he did in the *History of Human Marriage*, that the psychological causation of the prohibition has a biological determination, that the "lack of inclination for sexual intercourse—leading when the act is thought of to positive aversion—between household companions of childhood has a biological foundation in injurious consequences following unions of the nearest blood relatives."

He assumes that a natural selection "by eliminating destructive tendencies and preserving useful variations has moulded the sexual instinct so as to meet the requirements of the species." He adds, however, that his theory of exogamy does not stand or fall with the biological explanation; it is

<sup>1</sup> *Three Essays on Sex and Marriage*, p. 147.

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only a hypothesis, whereas the psychical peculiarities he claims are proved by common experience.<sup>1</sup>

Apart from the biological hypothesis (with which I am not in this paper concerned), can we really be satisfied with this theory, which is only a slight modification of that put forward in 1891? Professor Westermarck then considered the aversion to be instinctive. In his later edition of *Human Marriage* he avoided the word instinctive, and he states that he has done this "chiefly in order to avoid useless controversy about the meaning of the term."<sup>2</sup> Thus we are given a psychological theory vaguely defined in terms of that science to account for a regulation on which the whole social structure of mankind is built.

In his most recent work Westermarck meets and refutes all objections to his theory. Four chapters are devoted to Freudian theory and four more to Briffault. With regard to the former, he comes to the conclusion that psycho-analysis throws no light on the incest prohibition.<sup>3</sup>

I would point out that the regulations of incest and exogamy should be regarded sociologically, and correlated with certain other conditions which these regulations support. The psychological basis must however be considered, and to this I shall return later. With regard to the biological basis, I have claimed survival value for the groups with a strong social structure founded on the incest prohibition, in contradistinction to the biological survival of useful instinctive tendencies claimed by Westermarck.

Westermarck has failed to note the sociological trend of the theories put forward by Malinowski, with which I am in general agreement. According to this view, however the incest laws arose (there remains the possibility of varying motives, and trial and error in behaviour), their acceptance within the natural family is correlated with social solidarity. This socially stable group has biological survival value, and

<sup>1</sup> *Three Essays on Sex and Marriage*, p. 159.

<sup>2</sup> "Recent Theories of Exogamy." *Sociological Review*, vol. xxvi, No. 1, 1934.

<sup>3</sup> *Three Essays on Sex and Marriage*, p. 100.

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mankind has everywhere accepted the two primary incest prohibitions, which forbid the mating of parent with child and brother with sister. In the evolution of social groups larger than the family the principles of these primary incest prohibitions have been elaborated, and thus we are able to arrive at a sound theory of exogamy as well as the more complicated marriage regulations. The chief social benefit linked with the parent-child incest prohibition is the separation of the generations. Children cannot be raised to the status of their parents as they might be if they could be taken as mates.<sup>1</sup> The distinction of the generations and the superior social status of the older generation is a principle of great sociological value, expressed in many ways in savage and civilized society; yet Westermarck complains that my argument "is based on the assumption that sexual relations are antagonistic to authority," and adds, "What about the husband's authority over his wife?" and "There is no reason to suppose that sexual relations between a father and his daughter should weaken his authority over her" (p. 27). This entirely misses the mark. There is no suggestion that sexual relations as such are antagonistic to authority. The status and duties of husband and of wife are definite: the husband may have authority over his wife, but this does not affect her status of mother to her child; if, on the other hand, the father mates with his daughter the social relationship between mother and daughter is disturbed, the daughter would attain the status of co-wife and her position towards her siblings would also be changed. In the same way Westermarck considers it of little importance if a mother loses her authority over her son by taking him as a mate, because in any case she loses authority over him when he attains puberty; but this is by no means universal, further he

<sup>1</sup> Professor Ginsberg has pointed out to me that we do not know whether mating with the father would alter the status of a child. This is true, but we do know that when a man takes an additional wife who is as young as his own children she is given the status of wife. She is accepted as co-wife (though she may be under the tutelage of the chief wife), and her status is reflected in the kinship terms which all members of her husband's family use towards her.

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has not considered the effect on the father-son relationship in the hypothetical case of the son becoming co-husband with his father. It is curious that Westermarck should disregard the importance of social status within the family, when he has recognized it within the classificatory kinship group.<sup>1</sup> Indeed, his disregard of a social basis to the prohibition of incest is hard to reconcile with his use of this argument for the exceptions to this law.<sup>2</sup>

Here I stress the importance of kinship status and its sociological implications; the primary status of parent, child, spouse, and sibling consolidated by the incest barriers are not interchangeable. It is not necessary here to deal with the emotional aspect of these relationships, but to consider the social obligations which arise from the acceptance of status within the family.

If marriage prohibitions are looked upon as based on kinship, regulated by descent, then the most complicated marriage regulations can be understood. Here I must digress somewhat to consider descent from the cultural point of view. Biologically we are descended from our two parents, four grandparents, or eight great-grandparents, and so on until our direct ancestors become uncountable not only in the direct vertical line but also laterally, so that theoretically the descendants of our ancestors—our collaterals—would include all members of our race. There is no natural biological reason to claim any one of, let us say, the eight great-grandparents as specifically *the* ancestor, and his or her descendants as kin to the exclusion of descendants of other ancestors. Yet this is what all cultures do; even where kinship is reckoned bilaterally there is some accepted convention for limiting the kindred group. In savage society when unilateral descent (either matrilineal or patrilineal) is accepted, a compromise is generally found: all relatives on one side of the family (the father's or the mother's) are

<sup>1</sup> *History of Human Marriage*, ch. 7.

<sup>2</sup> *Three Essays on Sex and Marriage*, pp. 37, 40, 42, 155.

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accepted as kin and marriage with them is forbidden, while on the other side, the parallel cousins may be addressed as siblings and are not marriageable.

The prevalence of unilateral descent must be borne in mind if any biological significance is to be attached to the rule of exogamy, and it must be noted that exogamy in certain cases encourages rather than discourages in-breeding. Among exogamous people who accept this form of descent, cross-cousin marriage is common practice; biologically the cross-cousin is as closely related as the ortho-cousin, but the latter is regarded as kin while the cross-cousin belongs to another social group, and is not. There is no evidence to indicate that tribes practising cross-cousin marriage are weaker physically or mentally than other tribes in similar circumstances who forbid it. And it can hardly be suggested that natural selection has "moulded the sexual instinct" to "eliminate the destructive tendency"<sup>1</sup> that might be found in the inheritance of those rare sex-limited peculiarities that might be increased by widespread ortho-cousin marriage.<sup>2</sup>

Seeing that cross-cousin marriage had been practised

<sup>1</sup> *Three Essays on Sex and Marriage*, p. 158.

<sup>2</sup> The marriage of ortho-cousins with female descent (i.e. the children of two sisters) has not been recorded as habitual in any society, and is forbidden wherever the classification system of relationship is recognized. It is unnecessary to seek a biological reason for this, the mother's sister is almost invariably addressed as mother and her children as sibling. Yet, to refute Briffault, who states that the Bedouin Arabs, who practise ortho-cousin marriage with patrilineal descent (the children of two brothers), are of fine physique, Westermarck quotes an ancient Arabian proverb: "Marry the distant, marry not the near" (in relationship). He also states that there is a belief in Morocco expressed in a proverb that marriage with the daughter of the maternal aunt will produce weak children (*Three Essays*, p. 152). A genealogy of the family of the chief's section of the Kababish Arab tribe of Kordofan (C. G. and Brenda Z. Seligman, "The Kababish," *Harvard African Studies II, Varia Africana*, 1918), shows the great preponderance of ortho-cousin marriage with patrilineal descent. Though no statistics were taken, general observation shows these people to have a fine physique and live a life of great hardihood. It must be noted that as well as close in-breeding there has been a considerable concubinage with negro slaves.

With the spread of Islam in the Northern Sudan many African tribes and tribes of mixed origin have taken to this form of marriage (Brenda Z. Seligman, "Studies in Semitic Kinship. II: Cousin Marriage," *Bulletin of the School of Oriental Studies*, vol. iii, part ii).



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from time immemorial in Fiji, and though less frequent in his time, was still customary, Basil Thomson caused a census to be taken in twelve villages, the population having for the last twenty years shown signs of decrease under white influence. He found that 29.7 per cent. of the marriages were between cross-cousins and nearly all of these were first cousins. These marriages produced both a higher percentage of births and of live children, accounting for 34.7 of the total child population. The non cross-cousin marriages were analyzed and divided into three groups. One of these groups contained persons not cross-cousins but related, and among these were a sub-group of unions considered incestuous by the Fijians, but the author states that very few of these would be incestuous according to European ideas. This sub-group of incestuous unions furnished the poorest proportion of children. It was ascertained that there was no considerable difference in the age of the parents at marriage in any of the groups and that this group was second to the cross-cousin group in number of births. The conclusion arrived at by the author and which seems best to account for the facts is that these children received the least parental care. It would seem that only those people who had suffered most from white contact performed what was traditionally considered an anti-social act; and having broken away from their old culture and being not yet attuned to the new, made the worst parents. The classificatory relationship of the partners in these unions is given, and it is fairly clear from the context that they were "incestuous" because they violated the Fiji traditions of classificatory kinship. Unions of uncle and niece and aunt and nephew were included in this group. The other two groups compared were of fellow villagers unrelated, and persons unrelated from different villages. These unrelated groups came out third in vitality.

The consideration of these statistics, which were taken to afford biological data on fecundity and vitality, actually

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shows that these very qualities may themselves be sociologically determined.<sup>1</sup>

I have elsewhere<sup>2</sup> tried to show that matrilineal, patrilineal, and bilateral descent are not the only forms of descent that exist, but that there are two forms of asymmetrical descent and that when these as well as the dual organization are considered, all the more complicated marriage regulations found in the four-, eight-, and six-class systems, as well as the tri-clan grouping, can be seen to be direct extensions of the parent-child and brother-sister incest prohibitions, extended by means of the particular form of descent adopted. These class systems distinguish between the twenty types of first and second cousin in a definite manner, marking some as unmarriageable, while others form the correct groups within which the spouse should be found. Thus there is abundant evidence that the social status preserved by the incest barrier within the biological family is extended by the use of the classificatory system of kinship and limited by the method of descent. This limitation is sociological and we must beware of biological conclusions drawn from it.

In his paper, "Marriage and the Classificatory System of Relationship,"<sup>3</sup> Dr. Raymond Firth has shown how marriage regulations work in Tikopia, a small island where the classificatory system is associated with bilateral kinship, so that all the inhabitants are related in some way. He has pointed out that marriage involves a change of status, "not only for the husband and wife but for their relatives who have to make a readjustment of their kinship bonds to meet the altered situation." It is clear that in those societies where kinship duties are important, the changes in status permissible become regulated by custom; some changes are considered anti-social, while others are compatible and

<sup>1</sup> Basil Thomson, *The Fijians*, ch. 10.

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regularized. Firth points out that some relationships are difficult to change so that where the classificatory scheme is continually crossed and recrossed by marriage affiliation a definite selection is made of the relationships of the greatest social importance either from the point of view of the "kinship sentiment of ceremonial observance, or of economic obligation and privileges." Classificatory brother-sister and even a few half-brother and sister marriages occur, but in these cases the marriage only affects the kinship status of the pair involved, the brothers remain a brother group and refuse to change this status for that of brother-in-law with its very different social attitude.<sup>1</sup>

With unilateral descent the status of mother's brother and father-in-law are frequently combined. Where such marriages are habitual the behaviour pattern towards the kinsmen and the relatives by marriage may suffer little social disturbance. The Kababish Arabs treat all their father's brothers with respect, but a young man may pay special respect to and work especially for the particular father's brother whose daughter he hopes to marry, and *bint 'amm* (father's brother's daughter) comes to mean sweetheart among some Arabic-speaking peoples.

Dr. Evans-Pritchard has shown the very wide extension of the incest barrier among the Nuer.<sup>2</sup> Among them the incest barrier is extended in four ways: (a) to persons related genealogically or by clan; (b) by affinity to the wife's sister or near relation of the wife and to the husband's brother; (c) by adoption, to captured Dinka; (d) to the daughters of age mates.

Can these four different methods of extension of the incest barrier be regarded as expressions of a single principle? Certainly they do not in any way express sexual aversion to housemates nor horror of the biological results of inbreeding. But if the value of the incest barriers in establishing social

<sup>1</sup> *J.R.A.I.*, vol. lx, 1930.

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status and giving solidarity to the family group be accepted, all these methods of extending it can be seen as expressions of this principle :

(a) This is the usual extension found with the classificatory kinship system, and requires no comment.

(b) This affinal extension is conditioned by status. Among all the Nilotic cattle-owning people contributions to the bride-wealth and its distribution are regulated by kinship status; here the principle is extended to the family of the spouse because the Nuer consider that the birth of a child links its father to the mother's family; if a wife dies childless the husband may marry one of her near relatives, but if she has borne him a child such a marriage would be regarded as incestuous. They also regard connexion with the wife of a near male relative as incestuous, not merely adulterous. The Nuer reckon kinship in terms of cattle, and the extension of the incest taboo is related to the cattle value of the bride-wealth.

(c) Here a stranger without any social standing is given, by means of a fiction, status within the family, and hence can take his place in the community. The Nuer, who are intermittently at enmity with their neighbours, the Dinka, habitually raid their country; the captured Dinka are given a kinship status in society. The Dinka are not made slaves, but by the fiction of adoption the captives become the sons of their captors, and the usual prohibitions to marriage with the captor's family come into force.

(d) It may be suggested that the solidarity of the age-groups would be upset if the " brother " relationship were changed to that of father-in-law—son-in-law and that the age-group by the adoption of rules applying within the family has strengthened its bond and works as a solid social group.

It should be noted that in all marriage regulations the prohibitions against marriage can ultimately be related to the two primary rules, the parent-child and brother-sister incest

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prohibitions.<sup>1</sup> Either the relationship is extended on a unilateral, bilateral, or asymmetrical kinship system, or a kinship situation is created by a ceremony.

To return to Professor Westermarck's theory: if "aversion" to incest because of proximity could be substantiated, the extension of the regulation on the basis of locality cannot be admitted. Where exogamy exists, marriage with a kinsman living at a distance may be socially less noxious than with one living near by, but it is the genealogical distance, not the material distance, that is usually stressed, and a close neighbour who is not a clansman is a suitable mate, while a clansman, however distant, is not.

But the aversion itself cannot be substantiated by facts. Wherever the social regulations either actually favour incestuous marriages tolerate some form of incest union."

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Kingdom tombstones in which parent-child unions occur.<sup>1</sup> In a paper given in Section F of the First International Congress of Anthropological and Ethnological Sciences, Professor Murray expressed the opinion that parent-child unions recorded on these stelæ were actuated by considerations of property, the women in question being heiresses. Further evidence of incestuous unions among commoners in Roman Egypt is recorded in the fourteen-yearly census taken during the years A.D. 6-187. Although the papyri are fragmentary the names of 460 individuals occur; among them are thirteen brother-sister marriages from which fourteen children are recorded. As it is stated that the family is "patriarchal" no social advantage can be ascribed to these unions,<sup>2</sup> but they do indicate that in the Roman period no avowed

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But the aversion itself cannot be substantiated by facts. Wherever the social regulations either actually favour incestuous marriage, tolerate some form of incest, or conditions are such that regulations break down, incest takes place.<sup>2</sup> These three social conditions must be considered separately.

The classic example of incest favoured by social regulation is that of the royal family of Ancient Egypt, where incest of both types took place. Records of these marriages occur in the third dynasty, the eighteenth dynasty and in Ptolemaic times. Whether the incestuous royal marriages were dependent on matrilineal descent, the need of the male aspirant to the throne to marry the correct female heir, or on the desire to keep the royal blood pure, or on both these factors, is a matter of opinion; but it seems that the custom was due to dynastic and ritual needs. A good deal of evidence has been brought forward in support of the view that inheritance was in the female line and marriage with the heiress necessary for the succession.<sup>3</sup> Recently Professor Margaret Murray published some genealogies of small officials from Middle

<sup>1</sup> *Incest and Descent*, especially p. 255.

<sup>2</sup> Westermarck discusses these exceptions at length both in the *History of Human Marriage* and in *Three Essays on Sex and Marriage*.

<sup>3</sup> M. A. Murray, "Royal Marriage and Matrilineal Descent," *J.R.A.S.*, vol. xlv, p. 307; R. E. White, "Women in Ptolemaic Egypt," *Journal of Hellenic Studies*, vol. xviii, 1898.

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Kingdom tombstones in which parent-child unions occur.<sup>1</sup> In a paper given in Section F of the First International Congress of Anthropological and Ethnological Sciences, Professor Murray expressed the opinion that parent-child unions recorded on these stelæ were actuated by considerations of property, the women in question being heiresses. Further evidence of incestuous unions among commoners in Roman Egypt is recorded in the fourteen-yearly census taken during the years A.D. 6-187. Although the papyri are fragmentary the names of 460 individuals occur; among them are thirteen brother-sister marriages from which fourteen children are recorded. As it is stated that the family is "patriarchal" no social advantage can be ascribed to these unions,<sup>2</sup> but they do indicate that in the Roman period no aversion to incest was felt among the common people. In Burma, until recent times, the heir to the throne married his half-sister.<sup>3</sup> In Hawaii the heir to the throne was born of an incestuous marriage, while sons by other wives became court functionaries; high chiefs followed the custom of their kings.<sup>4</sup> In both these cases there is little doubt that these unions were due more to dynastic and ritual needs than to the intensity of desire of the individuals concerned, and there are no records of incestuous unions among commoners in either country.

The practice of the royal class of the Azande, the Avungara, is, however, on a different plane. Descent is patrilineal and purity of blood is not essential for succession—the sons who succeed to the chieftainship are usually borne by wives taken from the people. Yet the royal class commonly practise brother-sister and father-daughter incest. The men do not encourage their daughters and sisters to be married to commoners, and the princesses, who occupy

<sup>1</sup> "Genealogies of the Middle Kingdom," *Ancient Egypt*, June 1927.

<sup>2</sup> Calderini (A.), "La composizione della famiglia secondo le schede di censimento dell'Egitto Romano-Milano," reviewed *L'Année Sociologique*, Tome 1, 1923-1924, 4.

<sup>3</sup> Sir J. G. Scott, *Burma from the Earliest Times to the Present Day*, 1924.

<sup>4</sup> Davide Malo, *Hawaiian Antiquities*, pp. 80 et seq.



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privileged positions in the household, do not want to leave their luxurious homes for others in which they would be expected to work and to bear children. These women are often childless and are frequently Lesbians. The Avungara have maintained their position by means of a strong military organization, and the Zande nation as a whole adopt the usual African attitude to incest.<sup>1</sup>

In Tikopia, where the whole population is in reality related, marriage with the classificatory brother or sister, though said not to be correct, is inevitable and is tolerated, while even marriage with half-brother or sister occasionally occurs. The attitude to these two kinds of marriage is, however, differentiated. Dr. Firth found that opinions with regard to classificatory brother-sister marriage varied considerably: public opinion disapproved, tending to regard it as less bad if distant, yet all degrees occurred and were tolerated. The marriage of half-brother and sister was condemned, though not to the faces of the persons concerned, for they are an unusually tolerant people; however, it was considered that sterility or infant mortality was bound to follow as a punishment from the ancestors. Deaths of infants in families less closely related were also attributed to this cause. Marriages with related persons required a re-adjustment of social status and of kinship terminology.<sup>2</sup>

Another form of tolerance is not uncommon and can be observed among the Nuer. The extensions to the incest laws are so wide that there is a perpetual temptation to break them; there is a special sacrifice to avert the evils of incest and this is frequently performed for the more distant degrees.<sup>3</sup>

Where poverty and social degradation brings about

<sup>1</sup> Dr. Evans-Pritchard states that among the Avungara the family as we understand it does not exist. The chief's household is a vast enclosure, he takes no parental interest in his sons, who never dare to speak to him face to face and are turned out of the women's quarters as soon as possible. The system encourages homosexuality in both sexes, and among males it used to be openly recognized and organized.

<sup>2</sup> R. Firth, *op. cit.* See also p. 81 of this paper.

<sup>3</sup> *Pagan Tribes*, ch. 6.

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license, incest is frequent.<sup>1</sup> The late Justice McCardie considered that the frequency and the gravity of the crime was insufficiently appreciated by the public and urged the press to report incest cases more fully. He gave heavy sentences for both father-daughter and brother-sister incest.<sup>2</sup>

Besides these incestuous unions which may reasonably be regarded as socially determined, there is another type which appears to have a psychological motivation. In Africa there are numerous records of ritual brother-sister incest performed for magical purposes. It seems that the performance of this much desired and feared action is most potent magic.

It seems clear, then, that the "aversion" to incest is fostered by culture, and when the social regulations actually encourage incestuous unions or break down and tolerate them, the "aversion" disappears.

Modern psychology lays stress on the temptation to commit incest, and we may here quote the opinion of Flügel:

"The psychological researches of Freud and his followers would seem to have shown conclusively that this intense aversion to incest . . . is the negative expression of a correspondingly intense desire for the forbidden thing, and therefore no explanation which neglects to take into consideration this desire can be regarded as even approximately satisfactory."<sup>3</sup>

The validity of this theory will be considered after we have briefly examined the three social conditions in which incest does take place.

We must now consider whether the cultural prohibition of incest is accompanied by a stronger desire for incest than that of normal sexual attraction or whether, when social bonds are removed, only a normal degree of sexual attraction comes into play.

<sup>1</sup> The Chicago Vice-Commission reported in 1911 that 50 per cent. of women examined stated that they had received their first sexual experience from their fathers. Flügel, *Social Aspects of Psychoanalysis*, ed. by E. Jones, p. 114.

<sup>2</sup> *The Magistrate*, November 1931; *The Times*, February 1st, 1932.

<sup>3</sup> J. C. Flügel, *The Psychoanalytic Study of the Family*, pp. 206-207.

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On the whole, apart from the great mass of psychological evidence in favour of the former hypothesis, there seems also to be a considerable amount of anthropological support. The existence of widespread myths of incest of both types<sup>1</sup> may be regarded as cultural wish-fulfilments, just as dreams are regarded as individual wish-fulfilments. In savage society the temptation to brother-sister incest is frequently consciously recognized. I will mention only two examples, so far apart as Africa and Melanesia. The Azande have a proverb, "Desire begins with the sister"<sup>2</sup>; the Dobu live in a state of constant watchfulness and jealousy on account of brother-sister intrigues.<sup>3</sup> Savage society is in certain parts of the world normally regulated to keep brother and sister apart or to regulate their behaviour on a ceremonial basis.<sup>4</sup> With regard to the parent-child type of incest we are on less firm ground. Indeed, it must be emphasized that there are two forms of parent-child incest, which are neither psychologically or sociologically parallel. The mother-son situation has received most attention from the psycho-analysts.

The mother-child (son or daughter) association in savage society is both longer and more intense than in Western Europe, the lactation period being longer and the child being habitually carried about on the mother's body. The ultimate development of this attachment (both homo-sexually for girls and hetero-sexually for boys) must be investigated by psycho-analytic methods in savage society; hypothetical reconstructions are not of any value. However, the danger of mother-son union is not guarded against by custom as is that of brother and sister. In the lower cultures there is no mother-son avoidance, except where initiation implies seclusion, and during the period mother and son avoid one another. No mother-son unions have

<sup>1</sup> There is probably a predominance of the brother-sister type in savage society.

<sup>2</sup> Information given by Evans-Pritchard.

<sup>3</sup> Fortune, *Sorcerers of Dobu*, 1932.

<sup>4</sup> This regulation is not universal; the behaviour of a Shilluk towards his sister would appear shocking to a Trobriand Islander.

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been recorded in savage society, nor as far as I know have there been records of proverbial or other sayings, expressing the desire. With matrilineal descent, clan exogamy does not exclude mother-son union, yet it is everywhere regarded as incestuous. In fact, the temptation to mother-son unions is not socially expressed, though this does not necessarily point to its absence in the unconscious. Indeed, the widespread deadly insult of the accusation may perhaps be evidence of its presence.

The father-daughter situation is equally difficult to gauge. The father and daughter can never be so closely associated during the latter's infancy as the son and mother. The amount of attention the father pays to his infant daughter varies in different societies as well as in individuals. A few cases of father-daughter avoidance have been recorded, but this only lasts during a certain period, from puberty to marriage<sup>1</sup> or actually during the marriage festivities.<sup>2</sup> But it can scarcely be said that there are no social mechanisms to keep father and daughter apart.<sup>3</sup> Indeed, it might be argued that infant betrothal and the institution of bride-wealth are social regulations which tend to prevent father-daughter incest. There are, however, no recorded instances of avoidance between a married daughter and her father, so that it cannot be said that normal regulations of behaviour show a conscious father-daughter incest temptation, however the normal parent-child behaviour pattern tends to foster respect and to separate the generations, itself, as I have

<sup>1</sup> C. W. Hobley, *Akamba and other East African Tribes*, pp. 102-104.

<sup>2</sup> E. Westermarck, *Marriage Ceremonies in Morocco*, pp. 167, 315.

<sup>3</sup> It may perhaps be asked whether sex segregation is not itself a mode of behaviour operating to prevent incest. This may be so; among many peoples it is an important factor, in the division of labour, in ceremonial life, and it is common for the sexes to eat apart. Detailed study would be required, however, to show whether these customs aimed at keeping apart specially those connected by blood ties, and whether the customs are looked upon in that light by those who practise them. This is certainly not the case among the nomad Arabs of Kordofan. Among the Kababish every married woman is mistress of her own tent. I found that the only men who came in and out quite freely were either slaves or relatives of the woman. Thus, I frequently saw men in their sister's tents chatting and playing with the children.



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pointed out, one of the chief social advantages correlated with the incest prohibition.

I will now draw attention to some recent theories that Professor Westermarck has not noticed, though I will not refer to any of those that trace the incest prohibition to some hypothetical custom or as magical reactions to some hypothetical custom. Professor Westermarck has dealt with these sufficiently himself.

Dr. R. W. Fortune<sup>1</sup> has brought forward a new theory of incest. He considers that the barrier itself is adopted not because of its internal value to the family, but because the external value of the marriage alliance is essential to social structure. Though this theory is inadequate to account for the widespread existence of the two forms of parent-child taboo and their varied modification in different cultures, it is worthy of serious consideration. It offers a sound sociological principle for the retention of the brother-sister incest barrier; the value of the external bonds brought about by marriage is undoubtedly great; the reciprocity of affinal ties is an important feature of most cultures, and their great ceremonial and economic elaboration frequently essential to the social structure. Indeed, I have already pointed out that "the actual function of the marriage prohibitions seems to become not so much a restriction on choice, as the institution of a legal right to marry within certain groups."<sup>2</sup>

The social value of external alliances, however, could not bring about the prohibition of sexual intercourse within the family, unless we are to assume that the idea of pre-marital chastity, both male and female, is innate. Further, the theory assumes the natural family, without any cultural regulations or supernatural sanctions, to be already a stable social group ready to undertake external relationships. Thus, rather than providing a new theory of incest, Fortune shows a principle for the retention of its laws and offers a sociological

<sup>1</sup> "Incest," *Encyclopædia of Social Sciences*, 1932.

<sup>2</sup> "The Incest Barrier: Its Rôle in Social Organization," *British Journal of Psychology*, vol. xxii, 1932.



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basis for exceptions. It would seem that society tolerates incest when the social structure has nothing to gain from its prohibition. This, however, is only partially true. Supernatural sanction has come to aid the enforcement of the law, and does not easily fade as soon as the social structure has no need for it.

A similar theory has recently been put forward independently by Mr. F. E. Williams in a paper read before the Royal Anthropological Institute. He derives his argument from the customs of the Morehead District of Papua. Here exchange of food and gifts is the order of the day. These exchanges have no economic value, the participating groups produce the same kind of food by uniform methods. Their function he affirms is that of *potlach*; it brings the groups concerned into closer connexion with one another. The supreme gift is that of a girl, and marriage by sister exchange is practised, but if a man has no sister then he purchases a girl not to marry, but to exchange. Hence the primary law is not the negative prohibition of incest, but exogamy either for family or larger groups is a positive command. The same objections that apply to Fortune's theory are valid for Williams' theory of exchange. Further, it is rash to assume the universality of the idea that the supreme gift is that of a woman and that marital relationship cements social solidarity. In another region of Papua, among the Motu and Koita, there is a special friendship bond called *henamo*. *Henamo* are intimate companions, they render each other all kinds of services both of a personal and ritual nature. The ceremony of tying on the first perineal band, habitually performed by the maternal uncle, may be performed by the maternal uncle of the *henamo*. In this case the youth applies kinship terms to all the kinsmen of his *henamo*. Although in no way related except by this intense bond of friendship, *henamo* may not marry each other's sisters.<sup>1</sup> It is then clear that men do not become *henamo* in

<sup>1</sup> C. G. Seligman, *The Melanesians of British New Guinea*, 1910, pp. 69, 70, etc.

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order to extend the incest barrier, but in extending the barrier they consolidate the brotherly quality of the friendship between them. By this regulation the relationship can never be changed to that of brother-in-law, a relationship fraught with social burdens and ceremonial behaviour.

I am indebted to Dr. Raymond Firth for drawing my attention to another theory, on similar lines, but strongly influenced by Marxist ideology. According to A. M. Zolotarev, in the primitive herd there was no division of labour and so no marriage. Later, division of labour occurred with sex differentiation, and group marriage resulted. Expansion of economic spheres brought groups into contact with one another, and led to the exchange of women, valuable as labour power. The injunction against incest arose out of economic need, later sanctioned socially as law commanding the exchange of women with other groups.<sup>1</sup>

None of the theories dealt with here lay stress on the sanction behind the incest laws. The social sanctions put forward by Professor Westermarck—approval by public opinion of the normal, and disapproval of and reaction against the abnormal (implied also by Fortune and Williams)—seem scarcely more valid than the economic sanction claimed by Zolotarev.

Whether we regard the incest laws from a biological, psychological, sociological, or economic point of view and claim survival value for them from any of these stand-points, we cannot ignore the fact that they have supernatural sanction. Among the majority of peoples in savage society no punishment is prescribed; it follows automatically in the form of disease or death—the fear of it may frequently even lead to suicide, though nemesis can sometimes be averted or mitigated by magical or religious means. It seems reasonable to suggest that the religious sanction for the incest prohibition is itself inherent in the parent-child

<sup>1</sup> *Primitive Society* (in Russian), ed. by W. M. Matorin, Moscow, 1930, and Vokspublitsatsion Ethnography, Folklore, and Archaeology in the U.S.S.R. 1933.

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situation. The very circumstances, which allow the parent to retain authority over the child from infancy to adolescence, lead directly to the care of the aged parent, and to his cult when dead.

The phantasies of the omniscient parent (real enough for the savage infant) may be retained through childhood. The elder generation, separated sharply from the younger by the incest prohibition, accumulates knowledge, which is power. The curse of a parent is potent—the aged must not be neglected, when dead their protection is still sought, their anger feared. The cult of ancestors, or of a more remote Father-in-Heaven, is as widespread as the acceptance of the incest laws.

In conclusion I return to the statement put forward by Flügel on psychological grounds and already cited on p. 87.

From the examination of social behaviour we can say: that society fosters an aversion to brother-sister incest and this may be regarded as the negative expression of a corresponding desire for the forbidden thing. With regard to the two forms of parent-child incest, social behaviour, especially in the extension of the prohibition of the true parents to the classificatory parents, shows the repulsion of society to parent-child incest. The whole attitude of respect to the elder generation in so far as it preserves authority and fosters the care for the aged, is essential to social structure. Certain practices, such as infant betrothal and the institution of bride-wealth, may perhaps be regarded as negative expressions of the desire for union with the daughter on the part of the father. But there is little or no indication in social behaviour of a mother-son incest wish. This problem, therefore, must be regarded mainly as psychological, not sociological, while the two other types of incest belong to both domains.

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THREE ESSAYS ON SEX AND MARRIAGE. By Edward Westermarck. Macmillan, 1934. 12s. 6d.

It is now thirteen years since Dr. Westermarck put forth in three volumes the greatly enlarged and much rewritten edition of his *History of Human Marriage*. Ever since it appeared in one volume many years earlier it has been regarded as conspicuously a work of original character and more scientific in method than such books were wont to be. In its extended and mature shape it stands out as a monumental achievement in the field of scientific sociology, recalling the other great achievement of the same generation in an analogous field by Sir James Frazer, and with no other edifice of comparable magnitude in sight.

Even those who may oppose some of Dr. Westermarck's conclusions cannot fairly find fault with his critical sifting of data, the extent of the reliable information he has brought together, or the process of clarification which each aspect of the subject undergoes in passing through his hands.

Critics have, however, arisen. On the one hand are those who, with a more or less Marxian inspiration, desire to mould sexual phenomena more closely to the pattern of their own economic conception of history. On the opposite side, and totally opposed to dialectic materialism, are those who seek to burrow beneath the surface of marriage to psycho-analytic explanations.

The attacks on both these sides have taken definite shape during the past ten years. Dr. Westermarck has deemed it desirable to discuss and repel them in the present supplement to his *History*.

The psycho-analytic criticisms proceed, of course, from the application to marriage of some central doctrines of Freud's, though it is not the master himself but various disciples who have turned them against Westermarck. The other group of criticisms comes mainly from Dr. Briffault, the author of a work, *The Mothers*, erudite though sometimes eccentric and frequently inaccurate, which reveals a possibly subconscious impulse to explain sexual phenomena on a communistic basis; he has indeed since become a more outspoken champion of Communism. Mr. V. F. Calverton, in this field a disciple of Briffault, is more plain-spoken; he regards Westermarck as a belated individualist, an unscientific representative of effete bourgeois morality.

The three essays constituting this volume are entitled "The Œdipus Complex," "Recent Theories of Exogamy," and "The Mothers." One-

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third of the volume is in this way devoted to Freudian doctrines, and two-thirds to subjects discussed by Briffault. The essays sometimes range attractively beyond their titles to discuss various recent theories. But, in the main, they are organized to repel the two critical attacks in question, here squarely met, even in minute detail, which, however, remains thoroughly interesting for all concerned in these questions. Indeed, the interest spreads far, since various subjects here introduced have an increasing relation to wider sociological and psychological problems. It is a rare treat to follow the author's characteristically open-minded and scientific discussions in these pages.

It would be impracticable to discuss them here in detail. But a few points of outstanding significance may be noted. The *Œdipus Complex* is investigated at length in all its varied aspects, as expounded by Sadger, Róheim, Flügel, Stekel, Rank, and, above all, Freud himself. (It may be noted here that Dr. Rank should not now be included, for, though once closely associated with Freud, in later writings he takes an independent position and has indeed changed his viewpoint completely, so that in some respects his criticism of Freud's anthropology goes even farther than Westermarck's, as will be clear when the rewritten English edition of his incest-motive book shortly appears.) At the outset it is pointed out that the *Œdipus* of the legend could not have been the *Œdipus* of the complex. (Rank, it may be added, has observed that Freud has failed to grasp the Greek conception of the myth but taken it in Biblical terms.) Further, the castration complex is "not substantiated by anything we know about uncivilized peoples," and it is doubtful whether childish masturbation is ever corrected among savages. In agreement with Professor Seligman, who has here a special knowledge as well as sympathy with psycho-analysis, Westermarck states that initiation ceremonies can have little significance in relation to the *Œdipus Complex*. It is, moreover, inconceivable how a castration threat, even if admitted, could break down a child's *Œdipus complex*, and lead to a sense of guilt transmitted (with acceptance of the hypothesis of inheritance of acquired characters) to untold succeeding generations, especially since elsewhere Freud denies that incest-aversion can become innate. The explanation is really simple. It is or should be a familiar fact (though the author wonders that psycho-analysts who claim such intimate knowledge of the unconscious show so little knowledge of its conscious part) that early familiarity tends to produce erotic indifference or aversion, and "aversions which are generally felt readily lead to moral disapproval and prohibitory customs and laws."

There is thus no need for psycho-analysis to throw "a flood of light," as is claimed, on the question why incest has been prohibited. As a



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matter of fact, Westermarck cannot find that it has thrown even a single ray, least of all by Freud's theory of the primeval parricide. "The hypothesis of such an event is not substantiated by anything we know about either apes or savages." When a parent is killed it is for reasons that do not fit in with the Freudian theory. Nor can it be claimed that vestiges of the custom may be found in totemism. Not only is totemism far from being so widespread as the theory demands, but it fails to correspond, for, as Frazer concluded, the relation of a man to his totem is not one of hatred, but seems usually to be of friendship and kinship. We reach the final conclusion that there is not the faintest reason for supposing that these imaginary prehistoric events are, as Freud has claimed, the origin of "social organization, moral restrictions, and religion."

In the second essay, "Recent Theories of Exogamy," Dr. Westermarck is still concerned with special aspects of the subject dealt with in the first. There have always been numerous and often highly speculative theories of the origin of exogamy. The earlier theories were dealt with in *The History of Human Marriage*. Here the chief later theories are considered. There is, for instance, Dr. Briffault's. In an assumed primitive matriarchal society, feminine influence would tend to drive out the sons and retain the daughters, this tendency being supported by the jealousies aroused if the sons are retained; thus the matriarchal constitution of the group was maintained. Dr. Westermarck finds this theory not only lacking in evidence but intrinsically inconsistent. Briffault's theory is primarily based on the prohibition of brother-sister relations. Another theory, Mrs. Seligman's, is primarily based on parent-child relations. It essentially assumes, however, that sexual intercourse is antagonistic to authority in the family, and Dr. Westermarck finds this assumption really contrary to the facts. Then there is Professor Malinowski's view: the infantile attachment to the mother, though not, as Freud holds, definitely sexual, is pseudo-sexual, and so strong, and so close in character to sexuality, that it would be perilous for family relationships unless prohibited, because of the disturbing and inconsistent memories of reverence, etc., surviving from infancy. Dr. Westermarck points out that Freud holds that all these early memories are for the adult buried in the oblivion of the unconscious, and adds that, in any case, reverence is by no means incompatible with sexual love. Lord Raglan's theory that women are magically so dangerous on account of menstrual phenomena that it is safer only to have intercourse with those who live on the other side of the stream is then set forth with due solemnity.

The concluding portion of this second essay is devoted to the discussion of inbreeding, and brings together the evidence to show that exclusive and prolonged inbreeding tends to be unfavourable to the stock, even though

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that may usually be due to the development of latent taints. Dr. Westermarck puts this forward as a possible biological explanation of the disinclination for intercourse with near kindred, the sexual instinct becoming moulded by natural selection to the requirements of the species. However that may be, the psychic disinclination for sexual intercourse among house-mates remains "the ultimate cause of all incest prohibitions." It may be added that this conclusion (which has long been that of the present reviewer) does not imply that there is always, or even usually, no inclination at all in early life towards house-mates, whether we regard it as sexual with Freud or as pseudo-sexual with Malinowski. Although that point is not discussed by Westermarck, it may very well be accepted that an attraction, more or less sexual, towards parents or sibs is found in early life, and to that extent Freud is justified. The important point is that this inclination is at once swept away, or submerged, when later the more powerful attraction appears from outside, the exceptions being comparatively rare and perhaps more or less pathological. This can easily be confirmed by most people who have experienced and remembered early erotic emotions. Even when strong sexual passion does spring up between brother and sister it is frequently found that they had not been house-mates at puberty, and were therefore in the situation of strangers.

The concluding essay, the longest of all, is devoted to Dr. Briffault's *The Mothers*. Throughout that huge work, although on many points the two authors are really in agreement, not only are Dr. Westermarck's views from time to time violently attacked, but all sorts of charges of prejudice, ignorance, and inaccuracy are brought against him. He naturally felt it "a matter of honour to defend myself against false indictments that cast a stain on my character as a scientist and an honest seeker of truth." It has not on the whole been a difficult task and there is no occasion to enumerate its points in a review. The essay may, however, be read with much interest even by those who are not concerned with Dr. Briffault's accusations, since Dr. Westermarck takes the opportunity to re-state many of his positions, as on pre-nuptial chastity, group-marriage, polyandry and polygyny. There are a few final pages on "An American Echo," that is Mr. V. F. Calverton, a versatile and vigorous writer who devoutly follows Briffault and outdoes him in slashing denunciation. His impetuous temperament impels him to charges which are the reverse of the facts. Dr. Westermarck briefly points out that, so far from having set out to prove a case, bourgeois or other, he had begun by accepting the primitive promiscuity which Calverton now dogmatically clings to; that he has never preached monogamy as the sole and ideal pattern of marriage, but recognized that the best form

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of marriage must vary with circumstances; finally that, not merely is he not the victim of broken-down "absolutistic" doctrines of the eighteenth century, but has consistently maintained the relativity of morals.

HAVELOCK ELLIS.

HERBERT SPENCER'S SOCIOLOGY, with a Bibliography of Spencer and His Work. By J. Rumney, with a Preface by Morris Ginsberg. *Williams & Norgate*, 1934. 10s. 6d.

This work, issued under the auspices of the Herbert Spencer Trustees, is designed as the final volume of Spencer's Descriptive Sociology Series, its function being the revaluation of Spencer in the light of modern sociological thought. A work of such a nature formed a part of Spencer's own scheme, and now that some thirty years have elapsed since Spencer's death, its publication is timely. To turn its pages is to realize how many of Spencer's theories and dicta have become common coin; an example is his famous saying that society is an organism. The usefulness of Dr. Rumney's book lies in his subjecting these notions and the sociological system of which they form part to the criticism which is the outcome of later sociological research.

Even in the lay-out of the book Dr. Rumney has adopted a sociological scheme. He does not deal with the chronological development of Spencer's ideas, but subsumes his thought under a number of categories, probably acceptable to sociologists of all schools. In Spencer's case the special advantage of such a scheme is that significant passages from his voluminous writings can be assembled under the topics with which they deal. This enables Dr. Rumney to introduce comments and criticisms under each heading, and we are thus enabled to see not only what Spencer himself said and thought, but also what has been said and thought both by way of specific criticism of Spencer and independently, by a number of leading sociologists of various outlook. The method is perhaps open to one criticism: that it is less easy to grasp the whole structure of Spencer's thought—the wood in fact becomes obscured by the trees.

The book gives evidence of sound judgment and catholic reading. At the same time, it is clear that Dr. Rumney follows the line of sociological thought represented by Hobhouse, MacDougall, MacIver, and Professor Ginsberg. This school tends to stress the psychological basis of social life, and has taken a leading part in criticizing the physical and biological analogies which Spencer used in common with other writers of his time. Its attitude is also apparent in Dr. Rumney's treatment of Spencer's views on Race, Government, Property, and Religion. It was to be expected that many of Spencer's conclusions do not survive such criticism. The

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book makes it clear that sociologists cannot now accept unreservedly any part of Spencer's work, without a study of the more recent literature. Many would go farther than the author in rejecting Spencer's conclusions. Dr. Rumney decides, after full criticism, that Spencer's formulation, for example, of evolution as a passage "from an indefinite, incoherent homogeneity to a definite, coherent heterogeneity" may be accepted; but sociologists of other schools, for instance Marxists, would not agree.

The central defect of Spencer's scheme is clearly the insufficiency of his adherence to individualism as expressed in the economic and social order of his time, in view of the sociologist's necessity to recognize super-individual social bonds. On page 157 Dr. Rumney says: "That the functions of the State shall be negative only, follows logically from Spencer's view as to the nature of progress. For if progress is automatic, self-propelling, limitless and in accordance with what people deem desirable, interference by the State is superfluous—indeed positively harmful. Spencer was not unmindful of the material progress of a capitalist era of free competition and his social philosophy mirrors clearly and unmistakably the impact it made on him. His social philosophy is in essence a refinement of the economics of the Manchester school." Dr. Rumney continues (p. 159): "If society be a contract, it follows that rights are inherent in the individual and are absolute and unalienable. But if society be an organism, rights are relative and derivable from the general welfare. Spencer never made up his mind how to regard them. Here they are absolute: there they are relative." The confusion is one instance of an inconsistency, almost inevitable if Spencer was to take the place that he did in the thought of his time. For the present day the value of Spencer's work, indeed, lies not so much in the fruitfulness of his separate theories as in his courageous and inspiring attempt to embrace synoptically so many aspects of social life.

A. FARQUHARSON.

A. F. WELLS.

**RUSSIA TO-DAY.** By Sherwood Eddy. *Allen & Unwin.* 10s. 6d.

Dr. Sherwood Eddy has a long acquaintance with Russia, and this book is the fruit of his tenth visit there. It is not merely, or mainly, an account of things seen—factories, schools, houses, clinics, farms, the various aspects of the Five-Year Plan. It touches on all those, but it goes into little detail. Dr. Eddy's object is to appraise the Soviet experiment as a whole, and to answer in particular the question: What can we learn from Russia? "Nothing" and "everything" are both silly answers. It is impossible that a social and political experiment so vast and so resolute should have no lessons for the rest of the world. It is equally



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incredible that it should show no errors or vices. Sensible men will therefore rule out the fanatics on either hand—those who see Communism as Anti-Christ, and those to whom “*vox Scythiæ*” is “*vox Dei*.”

Dr. Eddy approaches his subject as an American radical, a humanitarian and an idealist, eager for the welfare of the people, disgusted with capitalism as he knows it in his own country and elsewhere. His general judgment, accordingly, alike on the substitution of the collectivist principle for that of private profit-making, and on the many social reforms carried out in Russia, could hardly fail to be favourable. And that judgment will be shared by all the Socialists, and in part by the Liberals, of the western world. But to set against these advantages Dr. Eddy finds grave defects—and here again he will find widespread agreement with his views. Those defects are, as he puts them, a stultifying bureaucracy, the suppression of freedom, the cult of force, and a narrow and exclusive dogmatism. The first of them he hopes may be only a passing trouble—a sort of youthful measles. The Russian leaders themselves are alive to the mischief and are making efforts to cure it. But the last three, in Dr. Eddy's opinion, are enduring and “of the very essence of Communism itself.” Are they? The Communists would say they do not dote on violence for its own sake, but that the use of force is a temporary necessity. The same may be said of some, at least, of the restrictions on the freedom of the Soviet citizen. The Revolution is not yet won, and the kind of liberties that we enjoy would, it is argued, spell fatal licence in Russia. The Communist will also retort that the Soviet citizen has liberties which most of us have not—a freedom, for example, to criticize or to express himself in his working life, a freedom from the shackles of convention and law that bind us in the matter of marriage and divorce. (This last point, of course, raises highly controversial issues, and particularly that of the integrity of the family. I do not myself believe that the Communists are deliberately aiming at the destruction of the family, or that there is any evidence that they would succeed if they were.) That the sum total of liberty, however, as we understand it, is less in Russia than it is in any western democracy, is an undeniable fact. It might, I think, be increased without any serious risk to the Soviet régime, and, indeed, there has already been in one way or another an easing of the pressure. The Soviet artist, writer, or dramatist is confined within certain limits; but he is not, *pace* Mr. H. G. Wells, the mere slave of the dictatorship.

The dogmatism of the Marxist irritates the non-Marxist, and it is peculiarly obnoxious to the non-Marxist who is also a Christian, like Dr. Eddy. For the materialist philosophy of Marx (which Dr. Eddy examines at some length, if not very deeply) involves the repudiation of



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all religion—though Mr. Middleton Murry and his school protest that it need not, and should not, do anything of the sort. In Russia, not only the Orthodox Church but other faiths have been persecuted, though the persecution, with all its cruelties and repressions, has stopped short of the point to which it has been carried in many States, including Christian States, in the past. Millions of Russians continue to go to church without any interference. The Communist hope is that all this superstition will gradually fade away, since the young generation is being educated in a thorough-going atheism in the schools. That hope may or may not be fulfilled; time will show. But whether it is or is not, it does not seem necessary to regard irreligion—or violence either, or a wholesale denial of freedom—as a permanent and essential element of a Communist régime. Communism, as interpreted by the straitest sect of the Marxists, is a rigid theory. But in practice it must adapt itself and make concessions. The Russia of to-day is not quite the Russia of yesterday; the Russia of twenty years hence may be a still more different thing. What is really “of the very essence of Communism,” and what it must stand or fall by, is its socialism—the ideal of the classless society, the elimination of private profit and exploitation, the establishment of a new relation between the individual and the community which will not leave the citizen the slave of the State. Those aims have not yet been achieved, and it is possible that they never will be. But it is its pursuit of them that makes the Russian experiment of such profound interest to the philosopher and the sociologist, as well as to the economist and the politician.

C. M. LLOYD.

**MENTAL DEFECT.** By Lionel S. Penrose. *Sidgwick & Jackson*, 1933. 8s. 6d.

Dr. Penrose's volume on mental deficiency forms one of the first of a series of textbooks on social biology that are to be issued under the editorship of Professor Lancelot Hogben. There is a pressing need for authoritative works on this new branch of science; and, if the whole series has the high merit of Dr. Penrose's volume, it will prove a most valuable contribution to biological and sociological literature.

Mental deficiency was at one time treated as one of the simplest of the psychological problems. Mental deficiency was held to be due to an arrested development of the brain: it was inherited; it was incurable; it could readily be diagnosed by the presence of developmental stigmata. The only thing to do with the defective was to send him to a special school to be trained in simple habits during childhood, transfer him to a colony or residential institution when he grew up, and, for the rest, prevent him from breeding his kind.

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We now know that every one of these statements is but a first approximation to the truth; and each of them, taken without further qualification, is almost certainly wrong. Accordingly, there has been of late a revival of interest in the whole problem. Its complexities are gradually becoming realized both by administrators and by research-workers. During the last few years it has been studied from the most diverse scientific angles; and to-day a thorough review of the subject calls for an advanced knowledge, not only of medicine and psychology, but of anthropometry, biology, and statistics, in addition to an understanding of the legal, educational, and administrative problems involved. Dr. Penrose touches all these varied aspects with an expert hand; and in every direction his treatment is at once sound and up-to-date.

His book is introduced by a brief historical review, and then describes the methods available for a systematic investigation of cases: the physical examination, the psychological examination, and the histological and biochemical studies of the laboratory are dealt with in succession. He then takes up the study of the personal and the family history. Here perhaps lies the most valuable contribution of the book. He points out how the use so often made of these pedigrees is quite inconsistent with the exact demands of modern genetic conceptions. Mental deficiency is a legal label which includes a heterogeneous collection of a wide variety of cases. Until these are more precisely defined and classified, and until the precipitating factors of the environment are more clearly understood, we cannot hope to clear up the genetic basis. A suggestive chapter, therefore, follows, dealing with the classification of mental defect; and after a series of chapters on the main pathological types, he concludes with a concise discussion of treatment.

Two characteristics of the book may perhaps be singled out for special mention and praise. The first is the cautious and critical attitude maintained throughout towards questions which have too often been the subject of rash and hasty generalization. The second is the way in which the modern approaches to the study of heredity, including statistical and analytical methods, are applied to this field. These happen to be the two respects in which earlier textbooks, excellent as they may be, have been somewhat lacking. The result is to make the reader feel how many of the generalizations that have hitherto been accepted as a basis for practical administrative work are, nevertheless, exceedingly dubious hypotheses still awaiting more rigid proof. The corollary to the whole volume is the urgent need for scientific research upon far more stringent lines.

CYRIL BURT.

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THE JEWS IN THE MODERN WORLD. By Arthur Ruppin.  
With an Introduction by L. B. Namier. *Macmillan*, 1934. 15s.

Dr. Ruppin is well known as a pioneer in the science of Jewish sociology. Some twenty years ago an English translation of his original German work on the subject appeared under the title of *The Jews of To-day*; the present book is an adaptation of a larger German study in two volumes, *Soziologie der Juden*. The subject has had a remarkable development in the last thirty years since the late Dr. Joseph Jacobs' first work in the field. And never was the world more interested in the Jewish problem than to-day. Dr. Ruppin's book will be the indispensable guide to all who wish seriously to study that problem. It is a most careful and fully documented study of the principal factors about a people which is scattered through the world, dealing with their numbers, distribution and migration, their birth-rate and mortality, their economic structure, occupations and social position, the recent development of agriculture in some of their communities, their place in commerce and the liberal professions, their political struggles and disabilities, the origin, development, and motives of Anti-Semitism, the intellectual and cultural changes which have menaced Jewry during the last century, and lastly the consolidation of Jewish life in the Diaspora and the building up of the Jewish Home in Palestine. To all these different aspects of the problem Dr. Ruppin brings a well-stored and scientific mind and a moderate and balanced judgment.

During the last century there have been extraordinary changes in the position of the Jewish people. In the first place, their numbers have increased more, perhaps, than those of any other people. At the close of the eighteenth century they numbered about two and a half million, to-day they are nearly sixteen million. Then, their geographical distribution has been revolutionized. One hundred years ago nearly half of them lived in Eastern Europe, and less than one-fifth in Central and Western Europe. To-day over 30 per cent. of the Jews in the world are settled in America, and there has been a steady shifting towards the West. On the other hand, their spiritual centre is again established in the East; and the return to Palestine, though at present it has brought back less than a quarter of a million Jews, involves the most significant change in their intellectual and spiritual outlook. It is the principal force counteracting the motives of assimilation which tended to break up the unity and solidarity of the Jewish people during the nineteenth century, and to offset their remarkable growth of numbers and the new economic importance which marked the evolution of the people. Jewish life in Palestine, accompanied as it is by the return to the life on the soil, by a revival of the Hebrew language, by a renewed national

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consciousness and pride of race, and by an extraordinary social and spiritual stirring, opens a new vista for the Jewish people and is rightly attracting the attention of the Gentile world. Dr. Ruppín, who has played an important part in the direction of that movement, sets out its achievements, difficulties, and hopes. NORMAN BENTWICH.

ESSENTIALS IN THE DEVELOPMENT OF RELIGION. A PHILOSOPHIC AND PSYCHOLOGICAL STUDY. By J. E. Turner. *Allen & Unwin.* 12s. 6d.

This volume is an excellent work but incomplete, as the author has again and again to refer his readers to others of his writings for the treatment of some of the subjects which one might expect to be included within its scope. Considerable parts of it also deal with other subjects than religion, although their inclusion may be justified on the ground that the intellectual and moral development of man is a condition of his religion. Chapters V to XIII are concerned with, to use Kant's terms, the pure and the practical reason, and only Chapters I to IV, and XIV to XVIII with religion proper. The writer is in sympathy with Hegelianism and absolute idealism generally, as his frequent references show; but his interest in science and his recognition of the need for a psychological as well as philosophical treatment of the subject in the first chapter modify that idealism in the direction of realism: his emphasis on mechanism as a necessary, if inadequate, mode of interpreting life, and his stress on evolution and its continuity (Chapters II and XVII) show that his philosophy has close contact with facts as well as ideas, although in dealing with religion itself the contact seems less close. He excellently distinguishes sensuous and supersensuous experience, and lays stress on its progressive rationalization (not in the sense of the new psychology, but as the development of reason as the determinative factor in experience) and moralization. While recognizing the emotional accompaniment of ideas in morals and religion, his emphasis lies on reason;—the system of ideas arising out of the process of ideation, which, based on sense, transcends it. With his general position, method, and spirit I am in sincere accord, and most of his conclusions commend themselves to my judgment. I do not wish to burden the reader with narrating minor differences of opinion: but there are a few major disagreements which I must mention.

It seems to me his definition is far too comprehensive, and relates itself to his philosophical ideas and not to the historical facts of the religions. "We obtain," he says, "the most adequate and at the same time the most comprehensive definition of religion by regarding it as the response or attitude of humanity, when this response is taken as being an *explicit unity* or real whole, to the Universe, likewise taken as a whole, in both



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cases equally, that is to say, the emphasis must be laid upon *wholeness* " (p. 32). The whole self explicitly responds to the whole Universe (the author distinguishes "Universe" or total reality, from "universe" as a man's whole world—(p. 53). "We are not at present," he says, "concerned with the purity or logical truth or morality of religion, but only with its psychological nature as *completeness of response*, and as the *simultaneous activity*—or more precisely, *reactivity* of the volitional, sensitive, and cognitive elements in the individual or social mind. Further, in being reactive, it is predominantly spontaneous; and this spontaneity really implies that the objective Universe, as the primary stimulus, is here expressing itself in and through its direct influence upon the mind, rather than that the individual is himself coolly and critically surveying his entire world, and then responding to it in whatever way he considers most adequate " (pp. 56, 57). I entirely agree that the whole personality, thought, feeling, will, *reacts spontaneously* to the Universe as primarily active and so initiative of the relation. But the definition seems to me to be far too vague to do justice to what is the distinctive feature of all religions. However crude may be the conception of the object of religion—power, life, spirit, God—something more definite than the Universe elicits the response. The author deals very admirably with Divine Personality in Chapter XVII; but in some degree personality as man at each stage of development conceives it is ascribed to that object. Further, religion seems to me, not to identify its object with the Universe in its totality, but distinguishes God (however conceived) from self and world, as above and beyond as well as akin to and within man. It is only when theism reaches the conception of God in all, and through all and over all, that God is not identified with, but pervades and controls all reality not himself. This author's definition would lead us to monism, and not theism, although he himself is a theist. He supplies his own correction in the chapter already referred to, which is full of excellent statements, by rejecting the idea of an impersonal Universe; he rightly affirms: "between Reality so conceived and man, genuine communion is no more possible than with the blindest mechanism ever proclaimed, except in so far as a totally illegitimate quasi-personification is surreptitiously introduced " (pp. 281-2). Rightly also does he recognize that the relation of God and man is affected by man's guilt (p. 284) on the one side, and God's pardon (p. 289) on the other. Religion for the author implies revelation. "Not only may man strain ever upwards, but Deity, as essentially personal, can descend and sustain the human effort, and this at every stage alike, no matter how primitive and imperfect man's own approach may be " (p. 283). In the last chapter, the problem of evil is dealt with. A statement is made, for the justification of which we are



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referred to another work of the author's, namely that "evil is itself 'organic' to the Whole" (p. 294), which I cannot accept; but he maintains that good is the final goal, a conclusion regarding which he holds that "nature and history, life and thought, unite in proclaiming that it is no blind faith, offspring of dead hope and wild despair" (p. 304). I heartily commend this volume for careful study.

A. E. GARVIE.

THE PROGRESS OF MAN. By A. M. Hocart. *Methuen*, 1933. 7s. 6d.

Mr. Hocart's book supplies a need which every teacher of anthropology has felt. There are a number of textbooks by Americans (Kroeber, Lowie, Goldenweiser, Hankins, Radin), but Englishmen do not seem to care much for textbooks, and except for Marett's masterpiece in the Home University Library, which is too short and too general for students, we have to go back to Tylor for a book which is comprehensive enough to be considered an authoritative introduction to the Science of Man.

Now that the most striking trend in anthropology is its increasing specialization, it is essential, as Ginsberg urges, to maintain relations between the various specialisms which deal with man and his culture by means of a central clearing-house where the distortions of each specialism are corrected in the light of results yielded by other specialisms. This, in fact, is one of the main objects of a Science of Sociology. Mr. Hocart's book therefore provides not only a textbook for students but also a synthesis of results reached in the different disciplines which are grouped together under the heading of anthropology and are formally held together by anthropological institutes and congresses.

It is divided into chapters on the body, the mind, tradition, mechanism, architecture, storage, clothing, the quest for food, the production of food, fire, chemistry, the quest of life, the sacraments, power, the disposal of the dead, the soul, the healing art, history, the social structure, kinship, warfare, trade, speech, play. Mr. Hocart has shown great skill in weaving together all these strands and in showing how man's biological heritage and his cultural equipment are interrelated. Throughout, his book displays great scholarship and vigilant criticism, based on wide reading and wide fieldwork experience alike, but expressed, nevertheless, in simple, sometimes alarmingly straightforward, language.

A book of this kind is difficult to review and I restrict my observations to minor criticisms and comments in the hope that they may prove of use to the author when he is preparing the second edition, for it surely deserves to become a standard textbook.

P. 27. Mr. Hocart writes:

"A great many travellers' estimates have been collected by Lévy-Bruhl in support of his thesis that savages cannot reason, that they have

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not yet developed a logic, are 'prelogical.' The argument amounts to this, that those who have not the same ideas as the European of the present day are not logical."

This is the usual English criticism of Lévy-Bruhl's writings (*vide* Driberg, Malinowski, etc.) and is, in my opinion, a most unfair interpretation of his views. His problem is: How is it that savages who reason so acutely about many matters, accept notions about other things which violate the rules of logic laid down by Aristotle and accepted by logicians and scientists ever since? His answer is that savages have developed a logic conformable to their institutions which, while coherent, even over-coherent, is, nevertheless, not the logic of logicians and scientists.

P. 147. Mr. Hocart writes:

"Blood is widely recognized as a vital fluid. It is drunk in the Ainu bear ceremony for instance. A variant occurs in the blood brotherhood where two men drink each other's blood to make them kinsmen."

A footnote refers to Hollis' monograph on the Masai, but the reader is asked to accept the opinion that blood-brotherhood ceremonies universally give a man kinship status with his blood-brother by the mechanism of blood-transfusion. This was the opinion of Robertson Smith in reference to pre-Islamic Arabia, and it may well be the case among people like the Arabs of Arabia, who speak of kinship in terms of blood or in other physiological terms, but I doubt whether it will hold true of most African peoples. For a detailed consideration of this question in reference to a particular African tribe I may refer to a recent paper of mine which justifies the comment made under this heading (*Africa*, 1933).

Pp. 173-4. Mr. Hocart writes:

"When we have full details in Africa we constantly find that the bride brings gifts with her, e.g. among the Chage, Bangwe, the Baman, etc., etc. An absolutely one-sided presentation seems rare, and when reported may be due to insufficient information. In Fiji the gifts are just offerings from one side to the other, the usual offerings, as usual, reciprocal. Rattray defines the bride-price as 'a thank-offering given to the person or persons from whom some gift or benefit has been received,' it is given to the spirit ancestors who thus become witnesses along with the living to the contract. The bride-price then seems to be really the offering which forms part of every ritual."

I think that very few Africanists would accept so simple and general a description of so-called bride-price. In some societies, no doubt, its payment through distribution creates a body of witnesses to the marriage, but it is a risky assertion to state that this is its usual, sole, or even most important action. The grounds upon which I make this criticism are to be found in the papers and discussions upon the subject during the past

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few years in *Man and Africa*. A less one-sided review of African marriage is desirable if the subject is to be mentioned at all. Also it is necessary to distinguish carefully the wealth which is handed over in spears or cattle by the kin of the bridegroom to the kin of the bride from the presents which they exchange with each other before and during the marriage ceremony. Africans themselves do not confuse these two processes.

Mr. Hocart's chapters on social structure and kinship are excellent. They have the merit of provoking the reader—as indeed have the other chapters—to violent disagreement or sudden enlightenment. Of particular value are his comments on the clan. I have found in my African fieldwork what Mr. Hocart has found in a different part of the world, namely, that the clan is a widely different social unit among different peoples and that very seldom does it correspond to the usual concept of the clan in ethnological literature.

Finally, I hope that in a second edition the book will be enlarged. Treatment of many subjects is often cursory and gives the impression of dogmatism. If Mr. Hocart had more space at his command this difficulty could be overcome and the book would be enriched by a wider selection of data. It is to be hoped also that in a second edition a few drawings and photographs will be included. These would be of particular value to illustrate the chapters dealing with technological activities.

E. E. EVANS-PRITCHARD.

**ADULT EDUCATION IN PRACTICE.** Edited by R. Peers.  
*Macmillan, 1934. 7s. 6d.*

Professor Peers and his colleagues of the Association of Tutors in Adult Education present in this volume an account of the adult education that is conducted under the Adult Education Regulations of the Board of Education. Their book is not primarily an appraisal. It is, rather, a descriptive analysis of what the experienced tutor knows of adult grant-earning classes and what the newcomer to the adult educational service requires as fore-knowledge. It contains practical information about the way the adult educational "movement" has grown up, about the methods and agencies of recruitment and organization, about the types of student, their intellectual equipment, and the grades of classes which are available for them, about teaching methods, syllabus preparation, and book supplies, about summer schools and other extra-class activities, about the tutor's qualifications, status, and professional interests. All this information is given with scrupulous accuracy and in an admirably matter-of-fact and lucid way. The would-be entrant to the career of teaching in the adult educational field will find his need of concrete fact and unsentimental explanation excellently provided for in this useful

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book. Its compilers had in mind, also, another kind of reader—the reader, namely, who is concerned “about education generally in relation to the problems of modern democracy.” For him *Adult Education in Practice* is less successful, and it is less successful both because it deals only with a part of the whole body of adult educational effort and because it is concerned with the teacher’s rather than the student’s share in that effort. “The Adult Education Movement,” we are told (page 39), “has stood out against the divorce between knowledge and life, and has striven towards a new philosophy of society which will make men more effective in their relations with each other.” These statements, however, are not given much in the way of expansion or definition: the book sticks too closely to its immediate task of explaining the mechanics of grant-earning adult education for it to serve as a sociological analysis of achievements and possibilities. *Adult Education in Practice* will be useful to administrators, both amateur and professional, as well as to tutors, but the qualitative analysis of adult education remains to be made. One has an uneasy feeling that the vital statistics of adult education, so to speak, are being preserved while the true sources of its vitality are not subjected to penetrating scrutiny. Could not Professor Peers and his team give us a companion volume which really got below the statistics and the mechanism to their social and political meaning?

H. L. BEALES.

**BECONTREE AND DAGENHAM: A Report made for the Pilgrim Trust by Terence Young. *Samuel Sidders*, 1934. 10s. 6d.**

Towards the close of the War the London County Council decided to relieve the congestion within its borders by building outside of them an estate of 24,000 houses in the Becontree and Dagenham area. Such an estate might be expected to have a population of about 120,000 persons, as many as the population of Gateshead or Norwich. Over 22,000 houses had been erected by the spring of 1932.

It was not sufficiently realized at the time that merely to build houses and to place tenants in them does not create a town. It was soon found that this aggregation of unrelated families in a new area presented all sorts of social problems, and the institutions and relationships which go to the creation of a community did not come into existence automatically or as speedily as might be wished.

The creation of the Becontree estate obviously furnished a great deal of material for the sociologist, as well as problems for the social worker, and it was very desirable to have a record of the experiment. Mr. Terence Young, working under the direction of a small committee of which Sir Wyndham Deedes was chairman, has made a report in which

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he has collected a large number of facts and asked, and sometimes answered, a number of pertinent questions.

The question of greatest interest is to what extent there has emerged in this mushroom collection of houses a community sense and a community loyalty. Mr. Young's answer is mainly in the negative. There is little sense of Becontree, meaning thereby the London County Council estate. And the reasons he gives are interesting. First of all, the London County Council began building in two separate corners of their estate, and so from the beginning there was a division of the potential community. Secondly, there has not been a local government unit co-extensive with the estate; and consciousness and loyalty, says Mr. Young, attach themselves to the local government area. Men and women reckon themselves as belonging to Ilford or Dagenham or Barking as the case may be. Actually the chief event stimulating local consciousness has been the creation of an Urban District of Dagenham, comprising a large part of the London County Council estate and some other areas. There is no local government unit corresponding to the Becontree estate and there is no Becontree consciousness.

Other features of interest about the experiment are that it created a large compact body of persons all of them at about the same economic level, that it was a community predominantly young, and that it was a community brought together without strong common motive and with all its traditions to make. Many questions suggest themselves about such a community and Mr. Young has very ably indicated them in his thirty-second chapter.

He has indicated them, but he has for the most part not answered them, and that is disappointing. The place for the questions was at the beginning of the book, not at the end of it. Mr. Young has amassed a great deal of information, but much of it remains mere information, neither illuminated nor giving illumination. We should have liked to have known more about the reactions of the settlers to their new surroundings, and about the process of building up institutions and creating a community sense, or rather, as it turned out, several local attachments. But Mr. Young tells us little of this.

The explanation probably is that the technique of previous English social surveys was not of great value in dealing with the special problems of Becontree and Dagenham, and Mr. Young did not (and perhaps it could scarcely be expected) improvise an appropriate technique. Probably we might learn a good deal from America as to the methods suitable for the exploration of such problems and data as this rapid and artificial growth of a large new urban area presents.

HENRY A. MESS.



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